LOKAMANYA TILAK



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BAL GANGADHAR TILAK
(1856—1920)

LOKAMANYA TILAK

a biography

by

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ASIA PUBLISHING HOUSE
BOMBAY · CALCUTTA · MADRAS · NEW DELHI

July 23, 1956

Published on the occasion of

the Centenary of the Birth of

LOKAMANYA BAL GANGADHAR TILAK

PRINTED BY G. G. PATHARE AT THE POPULAR PRESS (BOM.) PRIVATE LTD., BOMBAY 7
AND PUBLISHED BY P. S. JAYASINGHE, ASIA PUBLISHING HOUSE, BOMBAY 1

PREFACE

When I decided to write a biography of Lokamanya Tilak and began to search for material, I was, I must admit, disappointed. The printed books did not help me much and his biographies only whetted my hunger for material. They gave me some valuable hints about Tilak's political activities, but where was I to get the details? To get them, I had to wade through (1) heaps of old Government files and reports of Intelligence staff, (2) files of the many nationalist newspapers published in Bombay, Bengal, etc. during the period 1880-1920, (3) old volumes of the Congress proceedings, (4) Gazetteers of the Bombay Presidency, Bombay city and Poona, and many other reports, papers, brochures, pamphlets, etc. published by the Congress, Government and public bodies and individuals. I also had the opportunity of going through the rare material collected by the Board of Editors of the History of the Freedom Movement in India. All these, with the printed books on Indian politics and biographies of political leaders, were sources of the material which I venture to present in this book.

Paradoxically, Tilak's full stature as a political leader was yet to be discovered, for biographies of him, both in English and Marathi, missed some important aspects of his life and lacked in details, without which an understanding of certain phases becomes difficult. One of these is the "No-Rent" campaign conducted by Tilak in 1896, to which we get only a passing reference in Valentine Chirol's *Indian Unrest*, and other books and are left wondering what were the nature, genesis and *modus operandi* of this campaign. Then, Chirol's assertions about Tilak, having been questioned by that leader himself in a court of law, naturally became difficult to believe. The Lokamanya's biographers too have, I am afraid, been very miserly in giving an account of the "No-Rent" campaign. It was most fortunate that newspaper files and Government records unfolded to me the fascinating story which is recorded in Chapter XIX entitled, "Don't Pay Land Revenue if You Cannot".

In fairness to the early biographers, it must be admitted that it was impossible for them to have access to the then secret

Government records. And, apparently, they could not get newspaper files of forty years, 1880-1920. Without the latter, it would have been impossible for me to present, for instance, an account of the early activities of the Bombay Provincial Conference with which Tilak began his political career; without them, it would have been impossible to put flesh and blood into many chapters of this book.

These newspaper files and Government records, as source material, are supplementary to each other. For instance, in 1889, Tilak's paper, the *Mahratta,* published a letter of an Englishman from Manchester, R. D. Rusden, who advocated that India should openly break the salt law as a protest against salt tax and take the penal consequences. Rusden anticipated Gandhi's salt satyagraha movement almost in every detail. Now, a Government file shows that the letter had a disturbing effect on the Government. Legal advice was sought and the Government was advised that it would be easy to secure conviction of the editor. But wiser counsel prevailed and the prosecution was not launched.

In the Chirol Defamation Case also, the Government files make many startling revelations. Three interesting facts emerge from them: (1) In the opinion of the legal adviser of Government, Chirol had really defamed Tilak through his book, *Indian Unrest;* (2) Tilak was never connected with any anti-Muslim Movement, although overtly he was shown by Government as a Hindu leader working against the interests of Muslims; and (3) Chirol was engaged by Government and allowed access to confidential official records to produce some articles (later published as a book) depicting Tilak as a terrorist and not a constitutional fighter. Yet Tilak lost the defamation case!

To a superficial student of history, Tilak's politics may seem to have been tinged with communalism. Those who make this assertion have his Ganapati and Shivaji festivals in mind. It is easy to make a counter assertion that Tilak was every inch a nationalist and had no communalism in him. But my task was to search for material which should conclusively prove one assertion or the other. I have it from Muslim sources themselves that many Muslims participated in these two festivals which they regarded as national. I have uncovered other evidence which proves conclusively that Tilak belonged as much to Muslims as to Hindus. As the confidential files

of British rulers exonerate Tilak of communalism, so does this evidence, but more conclusively and in greater detail. Then, in order to make men and women of this age appreciate why a Hindu festival was chosen to be a national festival, I have given in the chapter entitled "Ganapati Festival" a background study of contemporary Muslim politics.

I have the same explanation to offer for the extraneous matter which I have included in Chapter II entitled "At The Threshold of Public Life". Before beginning to narrate the story of Tilak as a public figure, I considered it desirable to acquaint the reader with the political life of India generally and of Maharashtra particularly when Tilak was at the threshold of his career.

While almost every chapter of this book brings to light facts or details which are not to be found in any hitherto published biography of the Lokamanya, I must nevertheless acknowledge with gratitude the information I have collected from the works of Tilak's early biographers—the pioneers in the field.

R. G.

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CHAPTER I

BIRTH AND EDUCATION

BAL Gangadhar Tilak was born in Ratnagiri on July 23, 1856. His great grandfather Keshavarao, named after Lakshmi Keshav, the presiding deity of the family, was a Mamlatdar (revenue officer) during the reign of the last Peshwa. Well versed in letters, an expert rider, an unerring marksman and a champion swimmer, Keshavarao combined in himself the qualities of scholar and soldier. He was a happy man, but at the age of 40 his life suddenly underwent a change when, late in the second decade of the nineteenth century, the Peshwa rule, styled by some as the Chitpavan government, was overthrown by the British. He abandoned the mamlat, and made the performance of religious rites his main occupation for the rest of his life.

Keshavarao married a second time, after the death of his first wife. The two wives bore him three children of whom Ram Chandrarao was the eldest. Ram Chandrarao, also known as Ramchandra Pant, was yet a child of ten when the flickering lamp of Peshwa glory went out. His education was neglected, and he was married at an early age. In August, 1820, when he was only 18 years old, his wife gave birth to a son who was named Gangadhar.

Time was when Deccan Brahmans, especially the Chitpavans, were masters of the Konkan, the coastal strip lying between Bombay and Goa, and occupied high administrative posts under the Peshwa. Though they were employed by the British in the subordinate administration, they had lost their commanding influence, and were scrupulously kept out of all positions of power and responsibility. They adjusted themselves, as their fellow-countrymen did in other parts of the country, to the new situation, but a certain discontent and longing for a return to power naturally remained.

Descendants of a Mamlatdar, the sons and grandsons of Keshavarao found themselves in a similar position. Straitened circumstances of the family forced Ram Chandrarao to seek a subordinate job in the Survey Department. Professional work and a fondness for travel kept him away from home

for long periods. This incidentally provided Gangadhar an opportunity for closer association with his erudite grandfather from whom he learnt his alphabets at home. He was then put into the village primary school where he finished his Marathi course of instruction. Gangadhar must have been an adventurous boy. Failing to get encouragement from his grandfather and father to prosecute his studies further, perhaps on account of the family's circumstances, he left home and walked all the way to Poona where he entered an English school.

But a severe calamity shattered all his cherished hopes. His mother, who was on a visit to Poona to see him, suddenly died there of cholera. He withstood the shock bravely, but to his father, separation from the wife proved disastrous. He developed a philosophical attitude of mind, and became indifferent to the world, nay, to his own children — two sons and a daughter. In orthodox Hindu families, reading from the scriptures was, and is still, a regular feature of daily life; and impressions, such as non-attachment and renunciation, strike roots deep down into one's nature at a tender age. To a soul in distress renunciation suggests itself as a spiritual remedy.

It was in this state of mind that Ram Chandrarao left for Chitrakut, which has been sanctified by association with the *Ramayana* and whose spiritual atmosphere still attracts many a recluse. Between 1837, in which year his wife died, and 1872, when his own earthly existence came to an end, Ram Chandrarao once, and only once, came home.

The British reprisals that followed the failure of the Great Revolt of 1857 had terrorised the people, even the hermits, and the "Government had issued secret instructions not to allow any one to go about in the garb of an anchorite without a certificate." It was apprehended, and perhaps rightly, that the defeated heroes of 1857, who were wanted by the authorities to be punished, were hiding themselves under the ascetic cloak. At this distance of time, it is a matter of conjecture whether Ram Chandrarao went home to secure such a certificate or whether a desire to see his dear ones got for a while ascendancy over his non-attachment. He noticed an agreeable change in the family, and saw the face of a grandson born a year before the Revolt.

This child, son of Gangadhar Pant, was named Balwantrao, and he later became known as Bal Gangadhar Tilak, whom

a grateful nation reverentially calls Lokamanya Tilak or Tilak Bhagwan. During his long absence from home Ram Chandrarao served for some time under the deposed Peshwa as a superintendent of stores, but he never returned to the worldly life and passed the rest of his days on the banks of the Ganga in Banaras.

After the death of his mother in 1837 and the disappearance of his father, Gangadhar, who was then only a boy of 17, was sorely perplexed. It was obvious that he could not pursue his studies, but how was he to find the wherewithal to support the family? He was forced to prepare himself for a profession and took the job of a teacher in a Marathi school on Rs. 5 per month. He was fond of Sanskrit and Mathematics, and by self-study acquired proficiency in both. By sheer dint of labour, resourcefulness of mind and devotion to duty, he earned rapid promotions and rose to the position of an assistant deputy inspector of schools. In a speech bidding him farewell at the time of his transfer from the Ratnagiri High School to Poona, a colleague of his, Dr. Bhandarkar, spoke of him thus: "The erudition, imaginativeness, compassion, independence of thought, and tirelessness of Gangadhar Pant are worthy of emulation. He is a repository of grammar and a storehouse of Marathi."

Unlike his father, Gangadhar Pant did not allow himself to be lost in spiritual exaltation and surrender. He was an author, a money-lender, a shareholder in a mill. The three books that he wrote — a history of England, a text-book of arithmetic, and a handbook of grammar — were purchased by the Education Department of the Government for schools.

Gangadhar's wife, Parvatibai, was a kind-hearted and intensely religious woman. After having borne him three daughters, a longing for a son naturally grew in her. Saintly in her habits, she would not think of taking her meals without saying her prayers. She made her delicate health the worse by frequent fasting. And when Balwantrao was born to her, she believed that her penance and prayers had been rewarded by the Sun-God. She fondly called the child Keshav, after his great grandfather and out of gratitude to the family deity, Lakshmi Keshav. But the endearing domestic sobriquet *Bal* became eventually his real name. No longer quite fit to steer through the journey of life, Parvatibai died in 1866, when Bal was only ten years old.

His father, himself a teacher, gave Tilak a good grounding in Sanskrit, arithmetic and Marathi. His memory being encouragingly retentive, he was taught, while yet a child, to recite sacred Sanskrit verses. Once Tilak provided his father an opportunity which made him jubilant. The father's reading of the sonorous cadences of Bana Bhatta's famous work, *Kadambari*, captured the heart of the son, and he asked for the loan of the book. "Startled at the request, but unwilling to dispirit the son by a curt refusal, Gangadhar Pant promised to give the book on one condition." He was given a knotty problem in arithmetic and asked to work it out. He worked at it for an hour and a half, and amidst the applause of his mother and sister won the prize.

In 1866, he was admitted into the Poona City School, where he made more than satisfactory progress, completing three standards in two years. To a conventional martinet, Tilak was a rebel; he was not popular with his teachers and often quarrelled with them. He had inherited a liking for Sanskrit and mathematics from his father, and so adept was he in the latter that he would solve the examples orally. His copybooks contained only the answers to the questions and not the method. This irritated the pedagogue who asked him: "Where is your method?" And Tilak, putting his finger on his forehead, replied: "It is here". On one occasion, he crossed swords with a teacher over the dictation of a Sanskrit passage. The matter was reported to the headmaster, who was a strict disciplinarian and gave his verdict in favour of the teacher. This offended Tilak to the point of leaving the school and joining another. He, however, returned after the headmaster had relinquished his post.

The recorded accounts about him as a student seem to be unanimous that he was not a very brilliant boy, but his peculiar characteristics distinguished him from the common run of students. In the examination papers, he would try to do the most difficult questions.

He was at school and only 15 when he was married (1871) to Tapibai, daughter of Ballal Bal of Ladghar, a village in the Ratnagiri district. The bride, like the bridegroom, was motherless. Instead of costly presents, Tilak demanded from his father-in-law books to read.

In the next year occurred the premature death of his father, but it did not seriously affect the tenor of his life. At about

the same age, his father had been left motherless and also fatherless for all practical purposes. But Gangadhar Pant left his son some money and resources, and as if he had a premonition of death, he executed a will in which it was provided that in the event of his demise, his son should be educated up to B. A. and put under the guardianship of his younger brother, Govindrao. Govindrao was brought up by Gangadhar Pant like his own son, and although the will was in respect of the elder brother's self-earned property, it gave Govindrao a one-third share.

Tilak continued his studies and joined the Deccan College in 1873. Here physical exercise interested him more than the text-books, and understandably, because he had a frail body, with a diminutive head and the belly bulging out. Gymnastics and swimming were his favourite exercises. "I should develop a strong constitution," he would say, "even at the risk of my studies," and verily his pursuit of health resulted in his wasting a year. He failed to pass the F.A. examination. But he succeeded in building up his physical strength, which proved a great asset in his future life of suffering and turmoil. During his days of indefatigable public work, he once told an inquisitive inquirer: "If one only attends to one's body as one does to one's mind from the age of 16 to 25, and if the physical strength thus stored up is not dissipated by gluttony or vice, one can stand any amount of hard intellectual work till [one's] old age." Once in 1900, when his health had received a setback by illness, he swam across the Ganga — a distance of more than a quarter of a mile.

He showed off, and took pride in, his physical attainments and in the hostel indulged in athletic romps and frolics. Daji Abaji Khare was his unfailing companion in exercises, and the two pommelled each other in order to test their growing muscles. They even carried the competition to the kitchen, vying with each other in eating. But he had reason to be proud of his prowess. According to one of his Marathi biographers, "Tilak used to float on the surface of water for hours together, with unwet bread in his hands". He heartily liked boating and swimming.

Vivacious and jocular, and conscious of his sturdy body, he would rush into the hostel-room of a weakling, break the bottles of patent medicine, and drag him out to the playground. "There was a gay Lothario among the students who loved to

make a bed of roses in summer to lie down upon. Tilak would storm into his room and trample the flowers under his feet." In the time-table of his daily routine, reading occupied an unimportant place. Next to physical exercises, unending gossip, banter and ridicule took up most of his time.

With other pursuits claiming his undivided attention, he would attend a lecture only if he believed he was really going to benefit from it. Otherwise he would leave the room after the roll-call. Once or twice, the principal, noticing him leave the room, took him to task. Without betraying any sign of guilt or regret, Tilak told the principal, rather bluntly, "I am not going to appear for the examination this year." Unusual outspokenness won him the title of "Mr. Blunt" — a nickname borrowed from that year's text-book, Scott's *Kenilworth*. And for his vigorous pranks his fellow-students called him "Devil". Yet his banters were innocuous, his manners gentle. His life-long friend Upsani, said long after the two had left the college that he shared Tilak's room while both were students of Law at Bombay, and "I do not remember a single occasion when he gave expression to any unworthy thought".

He jealously guarded his character, and even an insignificant reflection on it pained him deeply. As a rule, he did not dine out, and it is said that when a teacher once ignorantly accused him of doing so, he was red with rage, and left the classroom. Two of his professors, Wordsworth and Chhatre, whose memory he enshrined in his mind, brought to bear on their work a moral and intellectual equipment of high order.

At the college, as at the high school, Tilak persisted in his summary method of study: he would not take notes, nor burn the midnight oil. He hurriedly did his daily lessons, often without his mind in them. But when he set himself a task, he accomplished it with surprising thoroughness. In a Sanskrit poetry competition, organised by one of his teachers, Professor Jinsiwale, (the subject was Matra Vilap — Mother's Sorrow) Tilak's verses were adjudged the best. He kept up his interest in Sanskrit which was aroused in his childhood, and composed many verses, but the poet in him did not go beyond the college walls. Sometimes his enthusiasm for extra reading was so much stirred up that he cut himself off from everything else and virtually plunged into serious study. Once he took it into his head that he should draw up a synopsis of the reigns of the Queens Mary and Elizabeth. He studied a dozen

standard authors, and prepared a comprehensive precis, which was copied out by his class-mates for their benefit.

A treatise on a grammatical point which he developed with similar assiduity also won him praise. Among the subjects which he studied in the higher classes, Hindu Law interested him most. His study of the books on Hindu Law by English authors whetted his appetite for a deeper knowledge of the subject, and he went through the original works of Yajnavalkya and other authorities. He studied all the important Acts enacted by the Government of India since 1827 and all the important works on Hinduism with their commentaries. This vast reading beyond the prescribed law books he did not for passing the examination but in order to understand the complicated structure of Hindu society as seen through the eyes of the law. A thorough knowledge of Hindu society, its customs, its gods, its heroes, provided him, in his public career, rich material for political agitation.

He began and completed his education at Poona, but for one term he strayed to Bombay and joined the Elphinstone College. There Professor Hawthornwaite taught Mathematics, but his teaching did not impress Tilak, and he went back to Poona where he graduated in 1876 in the first class. The next year, he studied for the M.A. examination, but failing to pass it, began to study law and took the LL. B. degree in 1879. Five or six years later, after he had already made teaching a mission in life, he again appeared at the M. A. examination, and again he failed.

A University degree was a rare possession in those days, and a graduate's field of activities, whether professional or public, was a town rather than a village. In the case of Tilak, lack of congeniality in the family at home (in the village of his ancestors) was an additional cause which perhaps prevailed upon him to choose Poona as his new home. It is here that he began life, in a humble way, as a missionary in the cause of education, and it is here that he rose to the eminence of an undisputed political leader of India.

Much of what was foretold in Tilak's horoscope never came to pass, but as if it was decreed by destiny, litigation, which he inherited, became his shadow till the last days of life. It began with family feuds as far back as 1865, involving his grandfather in several suits about ancestral landed property. They lasted, in one way or another for over 35 years, and

denied Tilak that warmth and affection of home whose sweet memories man cherishes most. Never in his life could he stay so much as a week in Konkan — Konkan which for generations inspired Mahratta youths and stirred them to action. The longest he stayed at home was for four days in 1889, and that too in a mood of detachment and renunciation. What was he to do with his share of the ancestral property? That was his problem, for he had already made up his mind that he would have nothing to do with it himself. He found a rightful claimant in Lakshmi Keshav, the village deity.

For several decades, the family had had little physical association with the property at home, and a well-established convention prompted Tilak, as one who had migrated to another place, to do a religious duty. A belief had grown among the people of Konkan that such of the sons of the soil as had gone out and prospered should get dilapidated temples in their villages repaired. The belief had been handed down from generation to generation, and had in most cases been translated into action like a ceremonial rite. Many regarded the performance of this duty as the first charge on their income. Tilak went one step further and decided to dedicate his entire ancestral property to Lakshmi Keshav.

Litigation with regard to family property, therefore, became his supreme religious duty. He fought and fought until, in 1894, the award of an arbitration allowed partition and delimitation of the land. Tilak's long-cherished wish was fulfilled, and in his will, he offered his entire share to the deity. In between these periods of family feud, Tilak was involved as a journalist in one or two other legal actions, which are described elsewhere in this book.

Even before the land was dedicated to the deity, Tilak never derived any benefit from it. His father, a self-made man, left him some property after striking a favourable balance sheet of loss and gain. Gangadhar Pant had made it a habit to write down his income and daily expenses in an accounts book which made the task of his son's biographers, probing into minute domestic details, easy. The accounts book gives an idea of the amazing industry with which he built up a little fortune for the son who was to be left an orphan at the age of 16. Gangadhar Pant drew upon several avenues, outside the profession of teaching, to supplement his income. In 1866, according to his accounts book, he started the year with

Rs. 250 and closed it with Rs. 3,900. This was, in those days, an enviable income for a middle-class family.

One of his outside sources was shares in a saw mill which was a European concern managed by one Crawford. But eventually the investment had to be struck off as a loss. One of the episodes connected with it provides a little material for the present story.

Arrangements were being made for Tilak's marriage, and the father was collecting money from all possible sources, the main among them being the refund of his shares in the mill. "The marriage is near at hand," he wrote to Crawford, "and unless you redeem your promise, it may have to be postponed. Pray send me at least Rs. 800 as soon as this letter reaches your hands." The money never came, and instead the company went into liquidation. The marriage, however, took place according to programme.

After completing his education, Tilak, with the assets he inherited from his father, set up an independent family establishment. He was fortunate in having in Govindrao an uncle who bestowed on him the same affection as a father does on his son. He set before Tilak the same example of industry and devotion to work as did his father. Like his brother, Govindrao also maintained the family accounts scrupulously. One of the items in the accounts of 1875 suggests that Tilak used to get in the Deccan College a monthly scholarship of Rs. 10.

Tilak's reverence for his uncle more than matched the uncle's affection for him. With the elementary education that Govindrao had received he was not able to make much headway in life, and Tilak allowed his own share in his father's property to be used for the benefit of the uncle's family. In 1897, when Tilak was sentenced to a term of 18 months' imprisonment, the uncle was alive. The old man was overwhelmed with the concern expressed over the imprisonment of the nephew throughout the country and the praises showered on him. He was overpowered with emotion, and the tears rolled down his cheeks.

CHAPTER II

AT THE THRESHOLD OF PUBLIC LIFE

THE year 1880, when Tilak entered public life as an educationist, draws a demarcation line between a decade of great upheaval which reached its climax during the Viceroyalty of Lytton and another of almost complete calm which began with the taking over of the Indian administration by Ripon. On the one side of the line, during the seventies, were violent political turmoils, agrarian revolts and widespread preparations on a large scale for launching a simultaneous attack on the British authority. The Deccan too was red with discontent and virtually spitting fire. The Maharashtra peasants were sorely turbulent and had thrown a considerable part of that territory into a state of disorder and lawlessness.

Famines, which became too frequent in the seventies, were, in a large measure, if not wholly, responsible for the disturbed state of affairs. Large quantities of foodgrains were despatched to England from India as a result of which starvation became a normal feature of life. In 1859, the exports of rice, wheat and other grains amounted to £ 2,801,871, and by 1877, they rose to £ 7,988,189. As if in vengeance, "in 1876-77, when India was on the brink of one of the severest famines of the country, she exported a larger quantity of foodgrains than she had ever done in any preceding year". There was no surplus to permit exports; in fact, "if the whole population ate as much as they could, this surplus would not exist. The grain exports of India represented many hungry stomachs". The land revenue had been raised, and the producer had to sell larger quantities of his produce in order to pay the State dues. The gross revenues of India increased from £ 36 million to £ 51 million in 18 years, after the Revolt of 1857, and the proportion of it spent in England, in the shape of Home Charges, rose from £ 7.5 to £ 10 millions.

Large tracts of cultivable land were deprived of food crops and acquired by English companies for the cultivation of tea, indigo and jute. Independent peasants were, in those areas, reduced to a position of slavery. A special law was enacted

for the recruitment of labour for the tea gardens. For its exacting provisions, the law was, in common parlance, called the Slave Law. Says R. C. Dutt: "Hateful cases of fraud, coercion, and kidnapping for securing these labourers have been revealed in the criminal courts of Bengal, and occasional acts of outrage on the men and women thus recruited have stained the history of tea gardens in Assam."

Lytton believed that appeasement of the landed aristocracy, even if it meant oppression of the peasantry, should be the policy of Government. In May, 1876, after assuming charge of India, he wrote to the Secretary of State, the Marquis of Salisbury: "I am convinced that the fundamental political mistake of able and experienced Indian officials is a belief that we can hold India securely by what they call good government; that is to say, by improving the condition of the ryot, strictly administering justice, spending immense sums on irrigation works, etc. Politically speaking, the Indian peasantry is an inert mass. If it ever moves at all, it will move in obedience, not to its British benefactors, but to its native chiefs and princes, however tyrannical they may be. The only political representatives of native opinion are the Baboos whom we have educated to write semi-seditious articles in the native press, and who really represent nothing but the anomaly of their own position. But the Indian chiefs and princes are not mere noblesse. They are powerful aristocracy. To secure completely and efficiently utilise the Indian aristocracy is, I am convinced, the most important problem now before us. Fortunately for us, they are easily affected by sentiments, and susceptible to the influence of symbols."

Lytton lost no time in giving effect to this policy, and called an Imperial Durbar in 1877, which was to serve another purpose also, namely, to celebrate and proclaim to the Indian people the new title of Queen Victoria. The Durbar added insult to injury, for it coincided with a terrible famine which had already swept away five million people of South India. In Maharashtra, the starving people, in sheer desperation, attacked the grabbing landlords, money-lenders and other oppressors. There was a great commotion in which thousands of peasants took part. It was a full-fledged agrarian revolt, and the police arrested about a thousand people, half of whom were prosecuted. But Lytton was unconcerned and went ahead with his scheme of decorating the aristocracy with new

'honours'. "Services hitherto inadequately recognised were rewarded; pensions enjoyed by ancient native families whose unquestioned loyalty had rendered them deserving of assistance were increased; numerous increased salaries for life were granted to the principal native chiefs; and to each chief entitled to a salute was presented, in the name of the Queen and with due ceremony, a large silken banner bearing on one side the Royal Arms and on the other his own."

Lytton's policy prepared the ground for rising discontent. Two eminent Englishmen, both officials, who in later years were closely associated with India's political life and aspirations, reported on the basis of information in their possession that a revolt was being vigorously organized. They were Allan Octavian Hume and Sir William Wedderburn. The former is commonly known as the Father of the Indian National Congress and the latter as one of its famous Presidents. Reading from the situation in the country, they apprehended that the 1857-58 trouble might be repeated. Hume says the "poor men were pervaded with a sense of hopelessness of the existing state of affairs; that they were convinced that they would starve and starve and die, and that they wanted to do something, and that something meant violence." There were innumerable entries which referred to the hoarding of old swords, spears and matchlocks which would be ready when required.

The forecast of trouble throughout India was in exact accordance with what actually occurred, says Wedderburn, from his own observation in the Bombay Presidency of the agrarian rising known as the Deccan Riots. "These began with sporadic gang robberies and attacks on the money-lenders until the bands of dacoits, combining together, became too strong for the police; and the whole military force at Poona, horse, foot and artillery, had to take the field against them. Roaming through the jungles tracts of the Western Ghats, these bands dispersed in the presence of military force, only to reunite immediately at some convenient point. A leader from the more instructed class was found, calling himself Shivaji the Second, who addressed challenges to the Government, offered a reward of Rs. 500 for the head of Sir Richard Temple (Governor of Bombay) and claimed to lead a national revolt upon the lines on which the Mahratta power had originally been founded."

This leader was Vasudev Balwantrao Phadke who attempted to raise an armed revolt against the British in 1879, and died at the age of 38, a life prisoner in the fort of Aden. Grandson of Anantrao Phadke who carved out a small estate for himself by the sheer strength of his arms, Vasudev had the blood of a hero surging in his veins.

In 1857, when the Great Revolt was on, Vasudev, then a boy of 12, used to listen avidly to his father's reading of the heroic deeds of Nana Saheb, Tantia Tope and the Rani of Jhansi.

The family's financial position having deteriorated, Vasudev abruptly ended his education, and instead of appearing for the School Final Examination, he took up a clerk's post in the Audit Office of the Great Indian Peninsula Railway on a salary of Rs. 20 per month. Later, he joined the Military Finance Office on a higher pay. Some incidents in his office aroused his political consciousness, and he began to take interest in the activities of the Poona Sarvajanik Sabha, which had just then been started. He heard Govind Mahadeo Ranade's two lectures on National Trade, and was set athinking. The lectures gave a graphic idea of how India's economic condition was rapidly deteriorating under the British Raj. They made the deepest impression on Vasudev Phadke and Ganesh Vasudev Joshi, who for his untiring zeal for public service, became known as the 'Sarvajanik Kaka'. They both took a vow to use only hand-woven cloth thereafter. But Vasudev Phadke was left wondering how Ranade's theory of divine dispensation about the British rule in India was compatible with the theme of his lectures. Preaching swadeshi, however, became a passion with him, and he induced hundreds of youths to take the same vow.

The famine, which was then rampant, brought about a revolutionary change in Vasudev, and he began to think in terms of preparing a revolt against the British. He had no faith in the educated classes and turned his attention to the villagers. He made an intensive tour of the Poona district, especially of the area populated mainly by the Ramoshi tribes. The Ramoshis, who once formed a part of the Maratha army, had sometime before, in their own little way, revolted against the authorities. The Ramoshis had many grievances against the British, and in them Vasudev saw a ready material for his plans. He moved freely among them, talked to them, and

advised them that if they wanted their miseries to go, they should help him end the British Raj. And they responded to his call.

In Poona, Vasudev organized a secret society of youths selected from schools and colleges. Temples and secluded places were chosen for giving revolutionary lectures. The training in the art of war was given in the neighbourhood of the Ferguson or the Gultekdi Hills. Regular contact was established between the secret society and the Ramoshis. Having assured himself of man-power, Vasudev opened negotiations with some rich men for money, telling them that their contribution would be regarded as a loan refundable after freedom had been achieved. There was no response. He, therefore, decided to collect funds by force, and did actually commit dacoities with the help of his armed band. But before his plans could take a definite shape he was captured. His own diary and autobiography, which he had scribbled during his fugitive career, made the task of the Prosecution easy, and he was awarded a sentence of transportation for life. During the trial "cavalrymen and the police guarded the court-room and its outside which was daily crowded with a vast multitude of spectators". They included distinguished Europeans and Indians.

Life-transportees those days were usually sent to the Andamans, but "not sure of the prisoner's behaviour", the Governor of Bombay sent Vasudev to the fort of Aden. He was confined in a solitary cell. He managed to escape, but was again captured, and died in February, 1883.

Vasudev's abortive attempt was only an extension of similar attempts made earlier. They were, according to Henry Dodwell, akin to the Wahabi movement; the latter's centre of activities was Patna and the former's Poona. The Marathas had fresher recollection than the Muslims of their independent power; in fact, but for British intervention, the Marathas would have been rulers of India after the collapse of the Mughals and of the Muslim power generally. Though, as Dodwell says, the Marathas were not fired by an equally fanatical religion, that lack was made good by the feeling of nationality engendered by Maratha history. Conspiracies were discovered in 1862. The movement, Bartle Frere wrote to Canning, "is an evident offshoot of the discontent which lost its chosen leaders in the Nana, Tantia Tope etc., and which

still smoulders in Central India and Maratha country. From all I can learn any spark such as a war in Europe or with America would have been followed by a number of concerted but separate insurrections in all parts of India between the Vindhya mountains and Tonbhudra. The movement was detected too early to become dangerous, but evidently did not die out."

The Deccan Riots were a result of the British policy of neglecting the peasant and nurturing the aristocracy. The law courts protected the money-lenders; the letter of the law being in their favour, the debtor-tenants were often dispossessed of their holdings, and made to pay to the landholders by selling their all. The stranglehold of the money-lenders became so tight that agricultural land was passing into the hands of interest-earning classes, and cultivators were being reduced to the position of serfs. When the condition became unbearable, the people rose to undo what an unjust law had done. In 45 villages in the Poona district and in 22 in the Ahmedabad district, they forced the money-lenders to surrender the bonds and other securities, which were burnt in the open. The trouble again raised its head in 1878 when the Government was forced to take up legislation for the amelioration of the peasants, and the Deccan Agriculturists Relief Act was passed. The Act restricted alienation of land and restrained usury. Both in the Vasudev Revolt and in the Deccan Riots, the conspicuous participants were the Ramoshis.

Until the time of Lytton, Indian politics was divided into two schools of thought: one believed in the overthrow of the British rule by force and the other had no intention of removing the British by any means, but merely wanted a share in the administration. A kind of mild constitutional agitation had begun to take shape in the Deccan more than a decade before the Great Revolt.

An institution working, in a mild way, for constitutional reforms before the Great Revolt, was the Kalyan Unanayak Mandal of Poona. The Mandal drew up a Charter of Rights for presentation to the British Parliament. Gopalrao Deshmukh, commonly called Lokahitwadi, was the leading luminary of the Mandal. (His father had fallen in the battlefield fighting for the last Peshwa.) Gopalrao took up a judicial post under the British, but evinced a keen interest in politics in order to promote the country's constitutional advance. He carried

on his agitation, single-handed, through the columns of the *Prabhakar*, a leading journal of those days. There is evidence in his articles of political sagacity, almost prophetical. In the issue dated April 1, 1849, he wrote under the title, "The Effect of British Rule", that a time would come when the people of India would become politically and culturally so strong that the British Government would be compelled to quit. He was half a century ahead of his time, and preached swadeshi and establishment of small industries. In one article he plainly suggested that imports of foreign goods should be stopped even if the people had to wear coarse cloth.

But an organized effort, in the realm of politics of the constitutional variety, began a few years later. On August 26, 1852, a meeting of the "native inhabitants" was held in the room of the Elphinstone Institution, and on the same evening was inaugurated, mainly through the efforts of Jagannath Shankar Sheth, the first political association in the Presidency, the Bombay Association. Among members of the Association were both Indians and Europeans, but its first major activity caused a serious rift. The Association had drawn up and submitted to the British Parliament a petition asking for an "enlightened system of government". The wording of the petition was mild, but since it suggested some defects in the administration, it was construed by some of the members as an indictment of the East India Company's rule. "Soon after the text of the petition was published, the English journals that had at first blessed the movement began to fall foul of it." Some Europeans seceded from the Association, and some Indians followed suit. For many years, the Association, which was later broad-based and called the Bombay Presidency Association, exercised, under the leadership of Dadabhai Naoroji and Sir Mangaldas Nathubhoy, monopoly over the politics of the Presidency.

Dadabhai, who started his political life with an agitation against the system of recruitment to the Indian Civil Service, brought into being several associations to carry on propaganda in England for the establishment of representative political institutions in India. One of these was the East Indian Association, inaugurated on December 1, 1866, in collaboration with a committee of retired English officers. Later, a branch of the Association was formed in Bombay. He made a tour of the country, and among those he met were also the ruling chiefs

whose support he was anxious to enlist for constitutional reforms. Pherozeshah Mehta was one of the proteges of Dadabhai "whose sage counsel and inspiration" (to quote Mehta's own words) "had formed my character and elevated my ideals whilst I was studying law in England." Dadabhai was a moderate, but through his monumental works on India's economic condition during the British rule, *Poverty of India* and *Poverty and Unbritish Rule in India*, he became instrumental in provoking many a young man to resort to violent methods against the British Raj.

Similarly, Mahadev Govind Ranade, himself a cautious moderate, inspired the young men of Maharashtra for many years through his books. His *Rise of the Maratha Empire* and *The Sources of Maratha History* were read and re-read avidly, reminders as they were of the fact that the state of the Deccan under the Chitpavan Peshwa was far superior to its condition under British rule. For over a decade before Ranade rose to the position of a Judge of the High Court, the Sarvajanik Sabha was the medium of his political work.

Gifted speakers like Dadabhai and Ranade were few and far between in India, and realizing the need of encouraging public speaking, some of the leading men of Poona formed in 1868 a society for the practice of elocution; they called it Vaktritvottejak Sabha. Two or three subjects, political, social or religious, were announced every year by the secretary, and candidates were invited to speak on those subjects at public meetings two months after the issue of the notice. A committee of five or six members chosen from the audience decided the merits of the speakers and awarded the prize which ranged between Rs. 10 and Rs. 50.

The Vaktritvottejak Sabha may be regarded as complementary to the Poona Sarvajanik Sabha which was founded on April 2, 1870, under the auspices of the Pant Pratinidhi, the chief of Aundh in Satara, with the object of promoting the political welfare and advancing the interest of the people of this and other parts of the country. The members included, besides a few Deccan Sardars and Inamdars, Government servants chiefly of the Educational and Judicial Departments, pensioners, and a few pleaders. From time to time the Sabha discussed and made representations to Government on many important subjects. But it was not just a resolution-passing political body; during the five years of draught in Maharashtra

(1870-75) it interested itself in the peasant problem, and every year sent representations to Calcutta, signed by thousands of ryots and secured remissions. In 1873, it undertook the task of investigating the economic conditions of the Maharashtra cultivators. During 1876-77, when Maharashtra was in the grip of a severe famine, the Sabha organized relief measures and made representations to Government.

Ranade was the beacon of the Sabha, but the spirit behind it was Ganesh Vasudev Joshi alias Sarvajanik Kaka, who plunged into political and social work, and cut himself off from everything else. A pioneer of swadeshi, he spun yarn daily for his own wear and opened swadeshi shops. He threw himself heart and soul into the movement, and converted people to the swadeshi creed by his own example. He was chosen by the Sabha to represent it at the Delhi Durbar, 1877, and, clad in Khadi, he became in that imperial show an object of attraction. In an address which he read out at that pageant, Sarvajanik Kaka appealed to the Queen to grant to Indians the same political and social status as was enjoyed by the British people.

Another enthusiast of the Sarvajanik Sabha was Gopal Narsinh Deshpande. His field of activities was Indapur in the district of Poona, where he established a branch of the Sabha. He was a stormy figure; he moved through the villages, enquired about conditions of the people, drew up representations on their behalf, went from house to house to collect signatures, and at his wayside lectures taught the people their duty towards each other and towards the country. A swadeshi protagonist like Sarvajanik Kaka, he would say that not a pie should go out of the country. In times of crisis and calamity, he knew no rest. During the famine of 1876-77, he toured for 18 months through Gujarat, Kathiawad, Cutch and Bombay, collected donations and distributed food.

Famines and the economic deterioration of the people, which were largely the result of Lytton's policy, roused the interest of the public workers of the towns in villagers and their problems. Another result of the Lytton administration was the toning up of the nationalist Press; in order to suppress it, he very hurriedly caused the Vernacular Press Act to be passed by the Legislature. This attack on the liberty of the Press sent up a wave of resentment all over the country, and an all-India conference, in which Sarvajanik

Kaka played a leading role, was held at Calcutta to protest against the "Gagging Act". Another law, more obnoxious than the Vernacular Press Act, enacted by Lytton was the Arms Act which made the possession of arms with a licence an offence.

Lytton's soulless and oppressive rule came to an end with the change of Government in England in April, 1880. Gladstone once again assumed the British Prime Ministership, and naturally desired that the Indian Governor-General should carry out the policy of the new Government faithfully. Lytton had, therefore, to resign, and Ripon was appointed in his place. The new Viceroy made a good start in the sphere of administration and succeeded in appeasing the Moderate public opinion. At the instance of Gladstone, he withdrew the Vernacular Press Act, and announced his intention to introduce reforms in the sphere of municipal administration.

Lytton, as Surendra Nath Bannerjea remarked, "had roused the public from its attitude of indifference and had given a stimulus to public life. In the evolution of political progress, bad rulers are often a blessing in disguise. They help to stir a community into life, a result that years of agitation would perhaps have failed to achieve."

Partly because of the congenial rule of Ripon and partly for other reasons, the barometer of political activity, which had been rising during the seventies, now dropped considerably. The Bombay Association was already a spent force. Dadabhai Naoroji seemed to be relaxing for a while. As a biographer observes, the period between 1877 and 1881 was the quietest in his life. Sarvajanik Kaka, who provided the Poona Sarvajanik Sabha with energy, was keeping bad health and passed away in 1880.

There were, of course, some other individuals like Vishnu Krishna Chiplunkar who twinkled in the serene sky of Maharashtra. After graduating in 1872, Chiplunkar joined the Education Department as a teacher. He did not find himself at ease there, feeling as though his soul were in bondage. While yet in Government service, he brought out a monthly named *Nibandha-Mala,* in which he freely criticised the Government. His essay, "Our Country's Present Situation", published in one of the issues of his magazine, was, as the author of the *History of Abhinav Bharat,* Dr. V. M. Bhat,

observed, "full of sedition and roused revolutionary tendencies in the minds of the younger generation". Eventually, he resigned his post under the Government towards the end of 1879, and felt a sense of relief. After submitting his resignation, he wrote to his brother: "On the 1st of October, my chains will be broken off, and I shall be a happy man again."

Such was the state of Maharashtra when Tilak, a youth of 24, appeared on the scene, fired by a zeal for public service. It was 1880. The curtain had fallen over Lytton's misrule, and a kindly hand had lulled the agitators to sleep.

CHAPTER III

AN INDIAN JESUIT

THE first chapter of Tilak's public life opened in the field of education which he entered with the zeal of a missionary. From his work as an educationist, we get a glimpse of his unbending spirit, his tenacity of purpose, his indomitable determination, and above all the fighter in him. Fortunately, Tilak has left a written account of this period, and this part of the story can profitably take an autobiographical form.

"It was in July or August of 1879, when I was living at the Deccan College for studying for the LL.B. examination, that Messrs. G. G. Agarkar, B.A. Bhagwat, V. B. Karandikar and myself first discussed the importance and practicability of establishing private schools on the model of missionary institutions. There was no difference of opinion as to the necessity of native private enterprise in education; but the question was how to make it successful. Self-sacrifice was evidently the only means for men in our circumstances, and though we were prepared for it, yet various difficulties were raised and discussed, as for instance, quality of work, private gains, etc. Suffice it to say that after many a private and prolonged discussion the conclusion at which we arrived was that if we applied ourselves to the task with the determination of carrying out our idea at any sacrifice, it was not an impossibility, though it might be long time before it could be accomplished. So enthusiastic were we that soon after Mr. Agarkar and myself wrote to a leading gentleman in the town that for bare maintenance, the highest estimate of which came up to Rs. 75 per mensem, we were prepared to devote ourselves to education, and that, if it were possible to raise funds that would yield the necessary income, we might soon undertake to give free education. The gentleman wrote to us in reply that, though our object was a laudable one, the public would not come to assistance until we were actually in the work and had done something. We were nothing disheartened for this, as we had determined to carry out our programme at any sacrifice. It was at this stage of

our discussion that we learnt that Mr. Vishnu Shastri Chiplunkar had given up service, and was in Poona, intending to start a new school. All of us resolved to go to him, disclosed our scheme, and requested him to take the lead. He consented, and it was settled to start a school by the beginning of 1880.

"Messrs. Bhagwat and Karandikar, however, had by this time, begun to doubt the success of the scheme, and the possibility of even earning a decent maintenance in the profession. Mr. Vishnu Shastri did not, in consequence, mention any names in the prospectus which he published on behalf of himself and his colleagues on the 15th December, 1879. The same prudence restrained him from describing the objects of the institution in high words—the only object mentioned being to make education inexpensive. The subsequent events showed that he was justified in being so moderate. Messrs. Bhagwat and Karandikar withdrew; and I am now glad that they did, though at the eleventh hour; and Mr. Agarkar, having got the senior Fellowship in the Deccan College, deferred joining us for a year; Vishnu Shastri and myself were the only persons then left to open the school (the New English School) on 1st January, 1880. It was at this time that Mr. Mahadeo Ballal Namjoshi came to us. He had given up his business, and was in search of something else; and Mr. Vishnu Shastri promised to take him in against many a friendly warning. We knew, he said, what his weak points were, and knowing them we could use his energies by giving proper work to him.

"Our strength was equal to the task, but as several persons, and amongst them Mr. Vaman Shivaram Apte, whom I requested to join us, had declined to do so, we had to pull on somehow or other. At the beginning of the second term, I had nearly grown hopeless of enlisting more men in our cause, when circumstances brought in Mr. Apte, who had first refused. Our salaries were however too low, and Mr. Apte continued to be a paid teacher for some months with higher salary; and it was only after the assurance of Mr. Agarkar to the effect that he too intended to join us, that he permanently joined the body. The idea of supplementing his income by doing some other work was, however, uppermost in his mind.

"Such was our position by the beginning of 1881. Five

of us had come together, though not from the same motive, to conduct a school. The work was rather heavy, and as everything had to be done anew, it put a great strain on the energies of all. Each man was given the work most suited to him. There were no outside interests yet created and every suggestion was made and received in good spirit. Not that there were no discussions, and even hot discussions, but somehow everyone felt that all were working for a common end, and the result was always satisfactory. As regards pay the doctrine of jealous equality was not yet developed. Just as each was entrusted to do what he could do best, he was allowed such salary as was necessary for his maintenance, and as could be spared by the Board. Thus for the first year, Vishnu Shastri and myself took almost nothing, while Messrs. Namjoshi and Apte were paid more than their due fare. Everything thus went on smoothly."

For a precise understanding of the causes that led to the shining success of the New English School, a brief acquaintance with the co-actors of Tilak is necessary. Vishnu Shastri Chiplunkar was the son of Krishnashastri, well known for his learning and erudition. His house was the favourite resort of the leading lights of Maharashtra. At the Deccan College, from which he took his B.A. degree in 1872, he was considered much above the average rate of students. He belonged to a school opposed to Ranade's and, instead of trying to introduce reforms, inspired by western ways of life, he thought the best way was to rouse people to a consciousness of their own religion and their own historical glory.

His example—resignation from Government service and criticism of the authorities in his monthly *Nibandh-Mala*—had a stimulating effect on Tilak and Agarkar. But while Tilak held identical views on social reforms, Agarkar was diametrically opposed to them. "Neglected by relatives, occasionally insulted by those whose help he had to seek," he grew up in poverty and believed there was something wrong with society. Partly his early bitter memories and partly the convictions he developed later were responsible for his reformist leanings, which grew, and, as a subsequent chapter will show, became one of the causes of his acute differences with Tilak, who tenaciously clung to things purely Indian. A student of Logic and Moral Philosophy, Agarkar had lost much of his faith in religion. After passing his M.A.

examination, an opportunity come his way to ward off poverty and lead a comfortable life. But he stuck to the mission of his life on which he had made up his mind in conjunction with Tilak, and wrote to his mother thus: "You may be waiting, mother dear, for your son to become an M.A. and lift you up from all the misery that haunts you. But I have decided to turn my back on money and happiness and dedicate my life to the service of the country."

Namjoshi was recommended to Tilak and his colleagues by Ranade. He had no academic career, but his "versatile powers, keen perception, sound experience and tactful, pushing nature more than compensated for his lack of higher education." His indefatigable energy and resourcefulness helped his colleagues get over many crises and they gave him the title of "our foreign secretary."

But Apte's approach greatly differed from that of his colleagues. He associated with the school largely as a paid servant. He had had a creditable academic career, and immediately after doing his M.A., taken up the post of a headmaster in a Mission school. His ambition to enter the Education Department remained unfulfilled. He was offered by Government the modest post of an assistant master in an Anglo-Vernacular school, which he refused. The founders of the New English School found him to be a useful man for their institution, and appointed him as its superintendent.

In September, 1882, the Education Commission, recognising the importance of the school, afforded it an opportunity of placing its views before the Government. The management authorised Apte to give evidence on its behalf before the Commission. In his statement Apte said: "We have undertaken this work of popular education with the firmest conviction and belief that, of all agents of human civilisation, education is the only one that brings about material, moral and religious regeneration of fallen countries and raises them up to the level of most advanced nations by slow and peaceful revolutions; and in order that this should be so it must be ultimately in the hands of the people themselves."

The Commission was much impressed with the way some enthusiasts were conducting the school in a spirit of self-sacrifice. Its President, Dr. William Hunter, expressing his opinion about the school said: "Throughout the whole of India, I have not witnessed a single institution which can be

compared with this establishment. This institution can rival and compete with success not only with the Government High Schools in the country, but may favourably compare with the schools of other countries also." In 1884, when its percentage of passes in the Matriculation Examination reached 89, the Private Secretary to the Bombay Governor sent a letter of congratulations to the school authorities.

Now, to continue the autobiographical account, "It was our determination to devote ourselves to the work accepting only a bare maintenance. The phrase 'bare maintenance' is rather vague; so I must state what was our idea of it. Our highest estimate of the same, when we imposed this mission upon ourselves, never rose higher than Rs. 75 per mensem. In our enthusiasm we went still further. We could well see that in the beginning we could not get even Rs. 40 per month. When it was asked how many would be content with what we might get, some withdrew from the project, Mr. Agarkar and myself still remaining firm. During the first years of the School, each of us could hardly get Rs. 30 or Rs. 35 per mensem."

The sacrifice and selflessness of the promoters of the institution bore fruit and it made rapid progress. The school was started with 19 boys, and by the end of January, 1885, there were about 1,200 students on the rolls. About 15 per cent free- and half-free scholars were admitted, and there were monthly scholarships of the total value of Rs. 50, paid from the school proceeds. The school succeeded every year in securing at least one of the two University Jagannath Shankar Sheth Sanskrit Scholarships.

There were in those days many Christian missionaries working in India for the advancement of literacy and education. There were differences of opinion as to their real motive, but their steadfast devotion to the cause of education had an inspiring effect on Tilak and his colleagues. In the town of Poona alone, the missionaries had established a network of schools: The Free Church Mission Girls' Vernacular School, Bishop's High School, St. Vincent Roman Catholic High School, the Free Church Mission Institution, the Mission Orphanage and the Christian Boys' Middle Class, St. Mary's Girls' High School, the Zanana Mission Anglo-Vernacular School for Girls, the Free Church Mission Anglo-Vernacular Boys' School.

Before Tilak entered the field of education, a feeling had been growing that Christian missionaries, though seemingly benevolent, had virtually become masters of the education of Poona children. The missionaries' conversion activities were very mild, and they met with little success. Nevertheless, there was resentment, and religious-minded, self-respecting Indians felt the want of a national system of education. The New English School, in a way, was considered as a counterblast to the mission schools.

CHAPTER IV

FIRST IMPRISONMENT

SHEER chance, not of his seeking, introduced Tilak into journalism. Hardly had the School completed one year and made itself self-supporting when some of its sponsors thought of starting an English and a Marathi weekly. The suggestion was mooted by Chiplunkar and Namjoshi—the former had already made a name as the fearless editor of the *Nibandha-Mala,* and the latter also owned and edited a paper called the *Deccan Star.* Namjoshi's press was in a bad way, and had been mortgaged with one Sathe. Tilak was indifferent to the new proposal, but when it was avidly put forward by others, he agreed to co-operate. There was no money to buy a press, but Namjoshi got Sathe to agree to part with his press on the condition that payment would be made by instalments. The possession of a press was considered a great achievement, and, within a few hours after the bargain had been struck, the new owners themselves carried the entire establishment to the School premises. In his later life, Tilak, referring to this incident, used to say that he had carried the type cases on his shoulders.

They all seemed to be in a tearing hurry, and, without loss of time, preparations were started for publishing the two papers. "At Apte's invitation," says Tilak, "Namjoshi's *Star* was converted into *Mahratta.*" It appeared under its new name on January 2, 1881. Two days later the Marathi weekly, *Kesari,* saw the light of day.

The papers were jointly conducted by Chiplunkar, Tilak, Agarkar and Namjoshi; for the editing, Tilak and Agarkar were made mainly responsible. Although the papers belonged to an educational institution, they began to evoke, within a few weeks of their appearance, a keen interest in politics. A few samples, quoted below, from their early issues give an idea of their courageous writing. In the very first year of their publication, they were described in official records as "unfriendly to Government". They dealt also with literature, religion, law, history and economics—Tilak mostly wrote on religion, law and political issues—but what put them

ahead of their contemporaries was their tone when they wrote on Indian States and criticised Government measures. In dealing with Indian States, the writers were actuated by a feeling of affection and regard; the States were considered remnants of the indigenous rule of which large parts of the country had been deprived by the British.

The *Kesari*, in its issue dated March 15, 1881, expressed its concern at the contemplated destruction of 400 guns belonging to the Gaekwad of Baroda, as a precautionary measure. "It is difficult to understand," said the paper, "what makes the Government afraid of such guns of inferior workmanship in the possession of the Native Princes. Is this the sort of confidence reposed in their integrity and loyalty? If the people are really disloyal, is this the sort of punishment to be dealt out to them? If another rebellion should really take place in India, would the rebel leaders find any difficulty in providing themselves with guns? It is not meet that the Government should in this way unnecessarily alienate the hearts of the people."

The *Mahratta*, after deploring in earlier issues the Government of India's decision to defray the costs of the Afghan War out of Indian revenues, the Viceregal visits to the heights of Simla, the Arms Act, etc., wrote in its issue dated April 24, 1881: "Students of history who have with a careful eye watched the progress of the English in India and studied their relations with Native Princes must have observed that the so-called paramount power has on every occasion made an attempt at thrusting itself on the Native Princes and by some political trick reduced Native States to mere dependencies, continuing to exist only during the will of the Political Agent. This work of reduction was completed when Her Majesty the Queen declared herself the Empress of India. At the Delhi *tamasha* all the Native Princes were forced to attend the State Durbar and this suzerainty was most cunningly established."

The occasion for the note was provided by an incident in the Indian State of Janjira where a British Civilian was sent from Bombay to investigate and report upon certain accusations. The paper added: "We humbly ask what right the British Government had to interfere with the internal administration of a state which neither was a tributary nor a dependency of the British Crown."

The *Mahratta,* which was Tilak's responsibility, gradually toned up its editorial writing, and began to be looked upon with suspicion by the Government. An official comment said that the *Mahratta* "frequently quotes paragraphs and articles of a violent and democratic nature from the English *Radical.*"

In order that we may more appreciatively be acquainted with the leader in the making, an extract from another of his articles, which appeared in the October 30, 1881, issue of the *Mahratta,* may be quoted:

"There is much truth—aye, we may say that is the whole truth—in the remarks that we are misgoverned because we allow ourselves to be so. India has been under British rule for more than three score years, and yet we do not find independent and vigorous constitutional agitations set on foot to convince our rulers of the manifest hardships we have to suffer owing to the present form of Government. The flowers of our universities have chosen to fetter their freedom of action by accepting Government service, and the ignorant masses, notoriously unused to agitation, are without any intelligent leaders to guide them. Hence it is that Government Acts pass uncontradicted, though the masses groan under them; hence it is that the opinion of the Native Press is passed in contemptuous silence. The masses must begin to move or be taught to move by constitutional means—the task must be undertaken by independent educated natives, and not by closet-patriots. It is indeed a shame that with our thousandfold grievances, we should lag behind. Organization, agitation, moral courage, are exactly what we want, and what we have to learn. And these can, like all others, be learnt by agitating, combining, etc. Let us, therefore, commence to move, and more persistently, that is, successfully. Till then, no strength, no redress, no privilege!"

Both the *Mahratta* and the *Kesari,* and especially the former, took keen interest in the affairs of the states of the Indian ruling princes, vigorously pleading the cause of the rulers against the paramount power of the British Crown. Among others, who more prominently figured in the columns of the papers, was the Maharaja of Kolhapur, who, supposedly by design, was sought to be got rid of by his own Minister and the British Resident. They had declared that the Maharaja was not in a sound state of mind, and this statement created uneasiness among his subjects and sympathisers, who

refused to believe it and thought that the British authorities, in conjunction with the Minister, Rao Bahadur Madhavarao Wasudev Barve, were intriguing against him. A feeling of hatred for the British rather than any great regard for the Indian ruling chiefs seems to be the reason why the people unhesitatingly believed all rumours that were circulating about the ill-treatment of the Maharaja at the hands of his Minister and the Paramount Power. The newspapers played a prominent part in confirming what word of mouth had already dinned into their ears. The Anglo-Indian Press and what was known as the Native Press were divided on the issue; the former eulogised Barve as a selfless and able administrator, the latter condemned him and took up the cause of the Maharaja.

In order to mobilise public sympathy, which of course was already there in an abundant measure, a public meeting was held under the presidentship of Rao Bahadur Gopalrao Hari Deshmukh on November 24, 1881, at which a well-known lawyer, Nana Bhide, was the principal speaker. In his two-hour speech, Bhide, claiming to be in possession of the full facts about the affairs of Kolhapur, succeeded in arousing public resentment against the Minister and the Paramount Power. The meeting passed a resolution suggesting that the Maharaja should be immediately put under the guardianship of some trustworthy persons.

The anti-Barve propaganda reached its climax when confidential correspondence—supposed to be his private letters—was found circulating among the leaders of the place, including the editors of the *Mahratta* and the *Kesari*. Ranade, who was a legal luminary of sober and cool temperament, saw the correspondence, kept it with him for one month, and did not doubt its genuineness. The letters suggested that a plan to poison the Maharaja was being hatched. For a news-journal, nothing was more welcome than a correspondence of this nature. The *Dynanprakash*, a contemporary of the *Kesari*, could no longer resist the temptation, and published the entire correspondence. The *Kesari* did not publish it yet, but in its issue, dated December 20, 1881, it referred to a statement of Barve and Nana Bhide's replies thereto. The paper wrote: "Mr. Barve states that the young Maharaja of Kolhapur has become insane, and though every means has been tried to cure him, he has not recovered; that there is no hope of his

recovery, and that the Khardekarin lady will have to adopt another son; that the young Maharaja's natural father and grandfather are mad; that the Maharaja showed signs of insanity about the time when he went to Rajkot."

The *Kesari* started the new year 1882 with a prayer, in its first issue, for a more prosperous career. But Destiny willed otherwise. After the *Dynanprakash* had published the correspondence, and after satisfying himself that it was genuine, a member of the editorial staff, quoted these letters at some length in the *Mahratta* and the *Kesari* and challenged Barve to a fight in the court of law. Barve, who had already been contemplating doing something to arrest the mounting propaganda against him, accepted the challenge and obtained Government's permission to file a suit.

But it transpired later, too late in the day, that the correspondence was imaginary and had been manufactured by some designing person. And mass psychology being what it is, when this fact went round, nobody was prepared to believe it, for how could the credulous deprive himself of the fascinating picture he had formed in his mind? He also would not believe what was now an established fact, that the Maharaja, an adopted son, had really shown signs of insanity ever since 1877 and was often subject to delusions and suicidal tendencies. The editors of several papers were prosecuted for carrying on a defamatory propaganda against Barve, among them being Tilak as editor of the *Mahratta* and Agarkar of the *Kesari*. The article, which was the subject matter of the prosecution case, was not written by either of these two, but in keeping with time-honoured convention, both accepted full responsibility for it. Tilak had the letters with him and, when he was convinced that they were imaginary he consigned them to the flames, and sent a letter of apology to Rao Bahadur Barve. But the case had gone far ahead in the court, and lest withdrawal at this stage should be construed as a weakness Barve stuck to his suit. The editors made his task easy by pleading guilty, and he succeeded in securing their conviction. Tilak and Agarkar were each sentenced to four months' simple imprisonment.

Conditions in jail were awfully bad, and the journalists lodged there were treated like ordinary criminals. In a brief sojourn of 101 days in jail—nineteen days were remitted for good behaviour—Tilak lost 25 lb. in weight. "The room

allotted to them measured 13 feet square; the appliances provided were of the dirtiest sort; the food was nauseating; the blankets given for covering their bodies were the homes of dangerous insects." For the first 25 days, they were allowed neither to read nor to write.

The public mind, which had for many months been fed on a different material, was still not prepared to accept the sentence of imprisonment as a proper dispensation of justice. People openly declared that bureaucracy had ultimately succeeded in wreaking vengeance on Tilak and other editors. Protest meetings were held and sympathy was expressed for the brave men who had walked into jail for a cause. Such men as Mandlik and Wordsworth sent a petition to the Governor, Sir James Fergusson, for remission of the sentence, but he expressed his inability to interfere in the course of justice. This heightened the feeling of respect and love that was developing for the fearless journalists. And when the day of their release, October 26, 1882, arrived, hundreds of people thronged at the jail gates and received the patriots, as they were styled in the chorus of applause. "They were taken in a carriage through the city, and the progress of the carriage was punctuated with public functions on the way." When they were leaving Bombay for Poona, students gathered in large numbers to pay their homage. An excited crowd awaited the heroes' arrival at the platform of the Poona Railway Station. There was enthusiasm and the atmosphere seemed to be charged with triumphant zeal. As in Bombay, a public welcome was accorded them at several functions in Poona.

Ever since the start of the case, Tilak more than others had endeared himself to many people. In the early stages of the case a merchant of Poona—a complete stranger to Tilak—ran to the court with a purse of Rs. 5,000 as soon as he heard that a security had been demanded from Tilak.

In his later life, whenever in a reminiscent mood, Tilak gratefully talked of this merchant and said how profuse and plentiful was, as a rule, the harvest of a little public service. In the defamation case, people spontaneously raised funds for the defence while pleaders were willing to conduct the case free of charge. Poona students staged a drama in aid of the fund; in this G. K. Gokhale, then a student of the Deccan College, played a feminine role.

There was resentment in the public mind; the *Mahratta*, the *Kesari* and other papers had often been drawing attention to misdeeds of the British agency in the Indian States and to the exacting British rule itself. The *Mahratta* wrote unsparingly on the "poverty-stricken conditions of the people". It brought home to the readers how the "merchant princes of Manchester" were fleecing India. In June, 1881, the assumption of the control and management of the Gaekwad's contingent by the British was paraded as a breach of faith. In these affairs, the conduct of the State Minister, Sir T. Madhava Rao was commented upon with disapproval. With this background, it is easy to understand why public resentment, instead of being allayed by the revelations made at the trial, was actually accentuated. There was discontent all round; there was no dynamic leadership to mobilise it. The Kolhapur episode, however, laid the foundation on which the superstructure was yet to be built.

CHAPTER V

LOVE'S LABOUR'S LOST

THE Kolhapur Case considerably enhanced the popularity of Tilak and Agarkar in the public mind, and incidentally proved advantageous to the School; it was now easier to collect funds. "The next three years, 1883-85," according to the account left by Tilak, "were spent in organising the institution. The important event of this period was the support of the late Abasaheb Ghatge, Chief of Kagal, and the honour of a visit which His Excellency Sir James Furgusson was subsequently pleased to pay to our institution (13th February, 1884). In the declaration of aims and objects which we made before His Excellency, we clearly set forth that for a small yet decent remuneration we were prepared to establish a network of schools throughout Maharashtra, and that it was our ambition to start a private college to secure a continuous supply of graduates, actuated by the same motives as their teachers. In short, self-denial and self-reliance had been our watchwords by this time. They were the mainsprings of our actions; and it was for these moral reasons our work came to be so much valued."

As a preliminary to giving practical shape to their ambitious plan, the promoters held a public meeting in Poona on October 24, 1884, at which the decision to establish the Deccan Education Society was taken. The Society was intended to be a cosmopolitan body, which is evident from the fact that the public meeting was presided over by Sir William Wedderburn, and, on the motion of Tilak, the following, among others, were elected to constitute the Board of Managers: Rao Saheb V. N. Mandlik, Sir William Wedderburn, Prof. Wordsworth, Justice Telang. The aims of the Society were stated to be to facilitate and make education inexpensive by starting, affiliating or incorporating at different places, as circumstances permitted, schools and colleges under "native management or by any other ways best adapted to the wants of the people. The bye-laws of the managing board were framed on the model of the regulations of missionary bodies. All life members were to receive equal

pay, and had equal rights; but, as the monthly salary fixed was not very high, it was provided that under special circumstances, gratuities might be granted to life members, either monthly or in lump sum, in addition to their monthly salaries. A further provision for accidents, etc. was made by assuring the life of every member for Rs. 3,000." The sum originally proposed by Tilak was Rs. 5,000, but it had to be reduced for want of funds. All these provisions were made on the understanding that this would leave no motive for any one to seek work outside the Society.

In fact, in an anxiety to protect members' interests, provisions made for them exceeded those the missionary institutions made for their workers. Tilak drew up a comparison between the two: "As we are proud to call ourselves Indian Jesuits, it may not be uninstructive to compare the provisions we had made with those of the missionary bodies. The Jesuits are never married, and it is no wonder if their regulations are more stringent than ours. But even the provision which the American Mission makes for its members is less liberal than ours. This Mission gives only a bare maintenance to members—those that are married being allowed double the allowance of a single member; while some special grant is made for children. We have embodied all these in our bye-laws, and a life policy in addition; and it is but natural to expect that the members of our Body should show as much, if not greater, devotion and zeal in our cause, as the Members of the American Mission do in theirs." Better provisions begot greed, and it was the departure from the principles enunciated in the beginning which forced Tilak to sever his connection from the Society.

Barely two months after the inauguration of the Society an Arts College was established, on January 2, 1885. Within a short time, the Society secured endowments of the value of about Rs. 80,000. The institution was named the Fergusson College after the then Governor of Bombay. Both the institutions were registered for grant-in-aid by the Education Department; and, as Tilak says, "our position was thus in every way improved. During the next five years, the Institution had been so far established and organized that the work in the School and the College was reduced mostly to routine; and our material and moral position was better than we expected."

Encouragement from Government in other ways was not

wanting, and when the Society asked the authorities for a plot of land for the College building, space was readily made available. The College was recognized by the University of Bombay for the previous examination provisionally for three years. Again, official pleasure was sought, and the foundation stone of the building was laid by Sir James Fergusson on March 5, 1885. The site provided by Government was later given up and the building actually was erected on a better site secured through Tilak's efforts from the daughter of the Gaekwad.

But the two journals created a problem. They and the educational institutions were pulling in different directions. The *Kesari* and the *Mahratta* were coming up as fearless papers, while the Society was formed purely as an educational institution for which Government co-operation was considered desirable. Therefore, though the promoters of the Society continued to be the proprietors of the press and the journals, the latter were considered to be a distinctly separate branch of common business.

It had been Tilak's ambition to give Maharashtra as many schools and colleges of the type he and his colleagues had built up as was practicable, and when a hint was thrown out by the Government that the Society might take over the Government institutions as well, the members' joy knew no bounds. The Society had been conducting its institutions very economically, and high officials of Government in the education department often discussed how much more the officially run institutions really cost the Government. The suggestion, however, did not materialize.

And, even if it had materialized, the ararngement would not have lasted long, for among the members of the Society themselves the spirit of sacrifice was gradually vanishing, and Tilak who was the moving spirit of the Institution was finding it difficult to pull on with some of his colleagues, who had now become ambitious and desired to earn more from the Society which was now quite prosperous.

Then, the differences between Tilak and Agarkar were growing over the issue of social reform. Agarkar was for a complete overhaul of the Hindu religious and social customs, rituals and practices, and advocated that new laws should be legislated by Government for the desired reform. Tilak argued that the people should be convinced of the need for,

and converted to, the reform rather than forced by law to observe it. He was not prepared for a violent shake-up of Hindu society. Concensus of opinion among the members favoured Tilak's view, and Agarkar formally ended his connection with the journals in October, 1887, though in his individual capacity he continued to contribute special articles to the *Kesari*.

For a more vivid picture of the inside working of the institution which eventually led to the dissociating of Tilak from it, we had better turn to his own account.

"The financial position of the School and College, by this time, had far improved, and we felt sure of our ground therein; but not so in the press. It paid itself, and a considerable part of its debt, but the writers got nothing. This was a state of things not to be long tolerated. Some of us had already ceased to write for the papers and devoted our time to more paying pursuits, while others had to devote the whole of their time to the press without receiving anything. Again, as the press and the papers were as yet the property of all, no individual member had perfect freedom to express his personal views in the editorial columns of the papers. For the first few years after the papers were started, we worked on the principle that the views expressed in the editorial columns must represent the views at least of the majority of members and should be commonly acceptable; but as the individuals became more marked, this arrangement was found to be more unworkable.

"From those and similar other causes, after many discussions, it was considered desirable to separate the press from the papers. But as the proposal was not feasible it was given up, and a second resolution was passed to completely sever the connection of all members from the press and the papers. I was sent to the press to make the accounts; and so great was the belief in the bankruptcy of the concern that Agarkar once refused to give to the press a loan of Rs. 500 from our funds, though the School and the Press were then conducted by the same members. The accounts were made up, and in October, 1886, the press and papers with all their liabilities were formally given over to Mr. Kelkar. The offer was first made to Mr. Agarkar, but he declined to take it on account of, as he said to us, the liabilities and also because it was not the aim of his life to turn out an editor. He

said he would rather close them than go over there. I was against closing a concern started by us, especially when the vernacular paper had become so successful and popular; and offered myself to conduct the papers, in case no one was willing to undertake the responsibility.

"Mr. Kelkar, however, undertook to conduct the concern; but as the management was to be entrusted to Mr. Hari Narayan Gokhale, who would come over only on my promise to support, Mr. Kelkar requested the Board to declare me as 'the next hypothecated member for the press', and the Board passed a resolution accordingly on August 22, 1887. The press and the papers were thus formally handed over to Kelkar, who was left at liberty to settle his terms with Mr. Hari Narayan Gokhale, while I was declared as 'the next hypothecated man' for the purpose of general advice and assistance.

"When we thus separated the press, it was believed that we had got rid of one cause of difference and diversion; and we could thenceforth apply our undivided attention to the School and the College. There was thus a sense of relief for a time; but it was destined not to be permanent. Some of us began to feel that we had committed a mistake. Mr. Kelkar had so conducted the papers as not to hurt any member or interest but this was not enough. To some, it was a loss of possible honour or gain. Mr. Agarkar especially lost his opportunity of publishing his opinions in the editorial columns; and some of the social subjects which came up for discussion in the press, soon after, caused the want to be felt more intensely. He was told that he could express his views under his signature and in communication columns. But that was not to his taste. At last even the papers were offered to him, but he did not like to take the financial responsibility upon him. Whereupon he was told that he could not use the papers for preaching his hobbies and throw the financial responsibility on our shoulders. He knew (and the sense of the Board was once informally ascertained) that the opinions expressed in the *Kesari* were mostly approved by the majority; but still gradually he came to believe that the *Kesari* was ruining the Body by alienating the sympathies of the Reformers.

"This open division in the camp encouraged our opponents and their support encouraged Messrs. Agarkar and (Hari

Narain) Gokhale, who supposed that they had influential sympathies. The majority of the members thus came to be talked of by these two as social conservatives. The bitterness of feelings increased and each party scandalised the other. All further progress thus came to an end, and the net result of the whole was a new paper started by Messrs. Agarkar and Gokhale in October, 1888."

In regard to the work of School and College, "singleness of purpose gave way to diversity of pursuits and interests; and these brought in differences in views and aims, where there was harmony before. Differences on questions of principles, once already decided and accepted, naturally led to hot discussions. Party-feeling led to jealousies and the latter ripened into rancour, making reconcilement a practical impossibility. The patriotic and independent position of 1881-1883 came to be talked of with scorn. The new life members had but dim perception of why and how the sacrifice principle was adopted by us. I tried to gauge the strength of the Body on the Jesuitical principle, and I found it in the minority."

Differences among members, once begun, went on increasing, Tilak insisting on austerity, and some others, who eventually became a majority, getting impatient to share the prosperity of the institution. In order to get the best of a member for the institution, outside work was tabooed. Now a desire to earn more had substituted this principle. And the final break came over this issue.

G. K. Gokhale, who was also a member of the Society and had for sometime been working for the Sarvajanik Sabha Journal, thought of accepting the post of secretary of that association with two or three hours work every day. Tilak objected "to such diversion of energy" and pointed out "that even Government did not allow its servants to do anything else, and that for a body like ours, it would be carrying the principle of private work too far to allow members to contract such definite engagement outside the Body." The secretaryship, Tilak said, was offered to himself before, but he declined to accept it as long as he was connected with the Deccan Education Society, and suggested that Gokhale should do the same. He also stated "that there was still ample enough scope for Gokhale's energies in the duties of Professor of English Literature in the Fergusson College;

and that if we wished to compete with other colleges, we must at least show that we were not behind in reading work."

His arguments were, however, of no avail. The Board was equally divided on the question, and after an unpleasant scene, Gokhale came to be appointed secretary of the Sabha in June, 1890. Tilak again pressed for a solution of the question with the result that a vote of censure was passed against him in the Council on October 14, 1890. He was disgusted, and informed the Council that he had decided to resign from the Society, and the next day, he submitted his resignation.

"By constantly insisting on the settlement of the question of outside work and salary", he said, "I have alienated the sympathy of almost everyone and rendered myself extremely unpleasant; so much so that I am regarded almost an obstacle in the way of others and every fault of mine, however trifling, is at once caught hold of and magnified to an incredible extent."

The resignation came up for discussion at the next meeting of the Council which was held on November 21, 1890. So revengeful and exacerbated were some of the members that there was in the Council an atmosphere of impeachment rather than of sympathy. When the chairman formally moved a resolution of regret at Tilak's withdrawal from the Society, two members of the Council stood up and proposed that Tilak should be called upon to explain, by December 6, why he had resigned. Ranade suggested that differences between Tilak and the others should be settled by arbitration. But this proposal was opposed by Apte who felt sure that arbitration would be of no avail. In the opinion of Dr. Bhandarkar, which he had expressed on the letter of resignation itself, the "differences between Tilak and other members of the Society had a long history behind them, and though there might have been some deflection from the fundamental principles on which the Society was originally founded, Tilak's imputation of dishonesty to the members of the managing board could not be overlooked." The Council deferred its decision, and meanwhile sent all papers relating to the resignation to the managing committee for a report. The Council reassembled on February 2, 1891, and adopted a resolution characterising Tilak's charges as baseless. Some countercharges were framed against him, one of them being that

while he objected to outside work in case of others, he engaged himself in the activities of the Indian National Congress. Tilak's answer to this was:

"The charge is entirely groundless. The Congress work was undertaken by me when I was on leave, and was thinking of resigning from the Body. It is true that I rejoined in June, 1889, and did not give up the work undertaken before. But that was because the work was of a temporary nature. Those that have ventured to bring this charge against me entirely forget the fact that I did not take up any Congress work in previous years, though it had long been in existence. Neither did I do any outside work during the first nine years of the School, though when the School was started in 1880, it was entirely in my hands to fix morning hours for tuition and leave the afternoon for pleading work."

The Council met again and confirmed its previous resolution.

As a member of the Deccan Education Society, Tilak's emoluments were not much, but they were necessary to help to keep the family going. His resignation not only deprived him of the opportunity of serving a cause, but also of the means of his livelihood. He was not yet the sole proprietor of the *Kesari* and the *Mahratta*, and, even if he were, the papers did not yield enough to enable him to make the two ends meet.

After Agarkar had withdrawn from the two journals, Tilak, N. C. Kelkar and H. N. Gokhale jointly conducted them. Gokhale looked upon the enterprise purely as a business proposition, but for the other two, profit was not the only consideration.

The *Kesari* was now the most popular weekly of Maharashtra. It had come to be regarded as a political institution; it helped people form their opinions on the current social and political problems. There were not many newspaper readers those days, and that explains why the circulation of the *Kesari's* Marathi contemporaries did not go beyond 400 or 500 copies, but the *Kesari*, though younger to many, had a net sale of over 4,000. It was easily able to pay its way, and earn some profit as well, but its English counterpart, the *Mahratta*, was not making headway.

In September, 1891, the sole proprietorship of the *Kesari* and the *Mahratta* passed into the hands of Tilak. But what

a proprietorship! The papers during their life of a decade had incurred a debt of Rs. 7,000, and Tilak preferred to take over this debt against the alternative of closing down the institution. The press went to the share of Kelkar and Gokhale.

There was no solution yet to his personal problem of livelihood. He put in an advertisement in the press announcing that he had opened law classes and inviting students to attend his lectures. The venture was successful and yielded him about Rs. 150 every month. As the institution expanded, the services of more lecturers were needed, and he engaged his old colleagues, Kelkar and H. N. Gokhale, from whom he had separated only recently. "The more difficult of the subjects, viz. Hindu Law, Evidence Act, Contract Act and Equity, Tilak used to teach himself. His lectures on Hindu Law were reputed to be very learned, critical and exhaustive." Even the practising lawyers were attracted to his classes and joined it with those studying for the LL.B. examination. He had planned to prepare a digest on Hindu Law, but the ambition remained unfulfilled. Other activities left him little time to undertake the work.

Some friends made him interested in another enterprise for which he was hardly suited. He was advised to start a ginning factory. He had no money to invest in the new venture, but succeeded in securing two other partners, and at last a factory was set up at Latur in the Nizam's dominions. The journals and the law classes already occupied most of his time, and his going to Latur to look after the factory was out of the question. His nephew watched his interests there, but the factory's accounts showed no gains, and six years later, in 1897, when Tilak started on his second term of imprisonment it was closed down.

CHAPTER VI

BEGINNINGS OF A POLITICAL CAREER

A YEAR before he actually resigned from the Deccan Education Society, it had become clear to Tilak that it would be impossible for him to stay in that organization without compromising his principles. His resolve to devote his life to the service of the country was irrevocable, and therefore, early in 1889, when his differences with his colleagues began to touch breaking point, he decided to take part in politics. On the 17th day of March he got an opportunity of working for the Indian National Congress. On that day a public meeting was held to press the claim of Poona to be the venue of the year's Congress. Tilak and Namjoshi were selected to contact the leaders of Bombay, which had already been nominated as the host of the coming Congress, and to induce them to retire in favour of Poona. But Bombay was adamant, and the next best thing that Tilak and his colleagues did was to collect a sum of Rs. 10,000 as Poona's contribution to the Bombay Congress.

Two months later, in May, 1889, was held the second annual session of the Bombay Provincial Conference. The Conference had come into existence only a year before. A renowned educationist and journalist, Tilak was well known in the public life of Poona, and he participated in the Conference as one of the front-rank leaders.

The Conference was a mild, innocuous body. But if it lacked political fervour, there was none in the country which had a programme of progressive politics. A very modest constitutional agitation had recently begun in the country, and if Hume accelerated its speed in one year, in the next it was pushed back by the reactionary attitude of certain rulers. The constitutionalists had established a convention of loyalty to the British Crown, and therefore no political organization or individual ever said that the British were foreigners and that the British rule should be replaced by Indian. To say so would have constituted, as Tilak himself remarked in later years, sedition. But while the Bombay Provincial Conference played the same humble role in early

years as any other organization in the country did, it took up popular causes and carried on campaigns. It was a new development in India's public life.

One of the resolutions adopted by the Conference in 1889 protested against the excise policy of the Bombay Government. Since continued pursuance of this policy eventually compelled Tilak to launch a Temperance Movement in 1908, it is necessary to give a brief account of the agitation carried on in the Bombay Presidency and in India generally.

Every week some journals, as if by turn, appealed to the Government to restrict the sale of liquor, but, on the contrary, year after year, more shops were being opened by the authorities. The question assumed national importance, and in 1888 the Congress passed a resolution saying "that, having regard to the fact that a serious increase in the consumption of intoxicants has taken place under the system of Abkari and Excise now prevailing in India, the Government be respectfully urged to adopt some such improved system as shall tend to discourage insobriety."

In 1889, the House of Commons advised the Government of India to take into account the popular feelings in framing its excise policy. The Government accordingly caused a despatch to be published in the Gazette of India, dated March 1, 1890, in which it was laid down as a policy that local opinion would be given due consideration. But the provincial governments conveniently ignored the despatch and continued to make liquor even more easily available, if only to add to their revenues. Again and again the press, the Provincial Conference and the Congress had been urging upon the attention of the authorities that "stringent measures should be taken by the Government in granting licences to retain liquor shops and that no such shops should be established anywhere without taking the sense of the inhabitants of the place." But the resolutions of these bodies were not backed by any practical agitation, and the Bombay Government, like some other provincial administrations, went its own way. It was not prepared to forego a considerable portion of revenue from excise.

In the nineteenth century, and in fact up to the Partition of Bengal which engendered a new spirit, protestations in carefully guarded language were considered enough. So, in keeping with the tradition, the other resolutions which the

Bombay Provincial Conference of 1889 passed (1) proposed certain amendments, based on the principles of local self-government in the Bombay Village Sanitation Bill; (2) deprecated the policy of Government as regards education; (3) demanded reduction in the salt tax; (4) recommended that higher appointments in the police service should be opened to Indians; (5) urged the Secretary of State for India to extend the tenure of office of the Bombay Governor, Lord Reay, who was much better than his predecessors there and counterparts in other provinces.

The leading men of the Presidency pursued the last resolution, and held public meetings in different places to eulogise his service to Bombay. Decisions were taken to perpetuate Reay's name as one of the "most righteous and enlightened rulers India has had".

Such was the political life in Maharashtra when its poor helplessly murmured against the salt tax, and the political organizations only passed resolutions. But an Englishman named R. D. Rusden was so much moved by the burden that this tax caused those living in grinding poverty in India that he wrote from Manchester a very angry letter to the editor of the *Mahratta* which that paper published in its issue dated July 21, 1889, and which nearly landed the editor in gaol. The letter has a great historical value inasmuch as it completely anticipated, by its revolutionary suggestions, the Salt Satyagraha of Gandhi which came off four decades later. The letter, headed the "Salt Tax", said:

"I am very glad indeed that the Provincial Congress has taken up the Salt Tax question. I hope as a consequence of that to hear of an important and if possible exhaustive discussion of that matter in the next Congress; in fact, it is only there that it can be properly discussed and with that complete knowledge which produces conviction. At a distance, where thousands of minor facts and many practical matters are of necessity unknown and even unsuspected, it is not possible to discuss such a question fully, and it often seems to me like a piece of conceit or presumption on my part to write about it at all whilst so many men in India must be so much more capable and so much better informed; but then they will not speak, these men, and if these big dogs absolutely refused to bark, it is evident that even the 'thrice mewing of the Blinded Cat' may rise to the dignity of a public voice

and prove of some small public value.

"I should think your 'policy' as regards the salt tax should be to agitate for its total extinction as opposed to mere 'reduction'—that is what our anti-corn law men did and you know they won in the end.

"I think the time has come to say to the Government: This is an abominable tax; we don't want any reductions; it is wrong in principle; it falls most severely on the most poor, it is a tax on a necessary of life, whatever salt tax the ryot pays he eats so much less salt in consequence. A large proportion of what is called death by famine is really murder by salt tax; the whole thing is hateful and shameful and scandalous, and we insist upon the sweeping away of the tax; and if you do not repeal it, we will try and make it so hot and disagreeable for you that before long you will have to drop it whether you like it or not. Speak clearly in this way; never mind your 'loyalty' which some of you think a good deal too much about, throw it to the dogs; 'loyalty' to a Government that imposes a salt tax is only another word for neglect of the most vital interests of the people; speak clearly then and emphasise your words by organizing a 'plan of campaign' against the salt tax. You cannot, it is true, boycott the use of salt whatever its price, but you advise your people to avoid the tax by preparing their own salt, wherever the presence of salt earth or salt water enables them to do so, and you can encourage them to do this by raising funds for their protection and defence in case of need, and I think other ways of action in this line will suggest themselves to you by which you could raise such a buzzing around the ears of the Government and such a disagreeable state of mind among 100 millions of your people that the Governors of India would be compelled to attend to it. As I have often written, it's no use going to a Government with a plea of justice. They know all about that,—the principles of justice are like the principles of Christianity, very well-known, but never acted on, certainly not by Government, but go to them and show by good evidence that unless a certain course is taken there will be danger for the 'Rulers'. See how quickly they change and how very dear some hitherto quite neglected interests become to them. And yet they are not villains, by no means, they are only men. But such is man. Don't let us despise him, poor fellow. He has got

a lot to do and only 60 or 70 years to learn to do it in, no wonder that his mind seldom gets more than half formed and that he makes such a mess of most things."

The Government of India took a serious view of the letter and called for legal opinion of the Advocate-General whether a prosecution of the editor of the *Mahratta* could be launched. The Advocate-General, in a long note, carefully examined the article, and said that there was no room to doubt that it was capable of inciting disaffection and rebellion against the Government and that prosecution, if launched, should succeed. Later, it was thought that the prosecution was likely to serve the purpose of the writer more than the Government's, for the *Mahratta,* unlike the *Kesari,* was not a widely circulated weekly.

If we picture before our mind's eye the political leaders of those days and their activities, we may safely conclude that none would have come forward to organize a no-tax campaign like the one suggested by Rusden; none perhaps except Tilak would have had the courage to publish a letter which suggested a rebellion.

The Provincial Conference, as other organizations, was aware of the hardship caused to the poor by the salt tax, and protested against it. But action, like the one suggested by Rusden, was considered beyond the pale of practical politics. How could those religiously adopting resolutions of loyalty to the Queen adopt a course leading up to rebellion? But in the Provincial Conference Tilak found a body through which he could gradually convert people to 'extremism' of the kind advocated by Rusden. Some years later, it was the Provincial Conference whose active workers actually manned Tilak's Extremist Party.

CHAPTER VII

A HASTINGS ON TRIAL

IN 1889, there was staged in the Bombay Presidency what may be called a miniature Hastings trial. For over a year, various strains of the case were repeatedly echoed and re-echoed in the press and on the platform. And as if in a battle, the two sections of the press—Anglo-Indian and Indian—were matched against each other. In the actual case, there was on one side a high Government official, named Arthur T. Crawford, and on the other was a body of his subordinate officers.

For a considerable time, reports had been current that Crawford, who then was the Revenue Commissioner of the Central Division in the Bombay Presidency, was taking illegal gratification for appointing persons as Mamlatdars and Deputy Collectors. It was said that in order to avoid direct contact with persons seeking appointments, he used one Hanumant Rao as an intermediary. Hanumant Rao's job was to settle terms, collect the money and hand it over to Crawford. By word of mouth, the news had gone round, but it took time to reach the ears of the administrators. Lord Reay was then the Governor of Bombay. He was a strong administrator, and as Chimanlal Setalvad says in his *Reflections and Recollections*, "he made officials realize that they were servants of the people and not their masters. Any officer not behaving properly with the Indian people was at once pulled up and in some cases publicly censured." He took prompt action in the matter and, as a preliminary, the prosecution of Hanumant Rao was launched.

Hanumant Rao's conviction and the revelation that he was collecting money for Crawford entirely depended on the evidence of the Mamlatdars and the Deputy Collectors who had actually paid the money. In the eyes of the law, they too were liable to be prosecuted and punished, for the giver of bribe is as much guilty as the taker. They were, therefore, in no mood to invite trouble and risk their jobs. But the question had assumed great public importance throughout the Presidency and was being constantly discussed in the

press. At this stage, Tilak, who had for some months been focussing public attention on the Crawford scandal through his weeklies, appeared on the scene, and demanded indemnity for the Mamlatdars and Deputy Collectors so that they might unhesitatingly narrate the true story before the court of law. The Government appreciated the demand and, though nothing was given in writing, notes were exchanged between the authorities on official files, as Tilak subsequently hinted in his papers, that in the interest of justice, indemnity sought for could not be refused. Reay's Government was in earnest and wished that on no account should Crawford have the advantage of the legal puzzle. Armed with the knowledge that the Government would not proceed against the Mamlatdars, Tilak went round and persuaded them to depose truly before the court how much money they had paid to Crawford to secure their jobs. But later events, however, upset the whole arrangement.

On the basis of evidence given by Mamlatdars, Hanumant Rao was convicted by the trying magistrate and his appeal was dismissed by the Sessions Judge. The Judge also held that these officers had confessed to having given bribes and were guilty of abetment. He sent a copy of his judgment to the district magistrate. This part of the judgment upset Government intentions with regard to the future of Mamlatdars. After the conviction of Hanumant Rao, Crawford's prosecution should have come as a matter of course, and the Government appointed a special commission consisting of three High Court Judges to inquire into the charges of bribery against Crawford.

The inquiry had yet to begin when one Ganesh Narayan Sathe lodged a complaint in the court of the district magistrate of Poona charging Balkrishna Govind Shindekar and five other Mamlatdars, who had given evidence at the trial of Hanumant Rao, with giving bribes and thereby abetting the offence committed by Hanumant Rao. The district magistrate dismissed the complaint on the ground, first, that the complaint was expected to be heard in the case under enquiry by the Crawford Commission in which the persons complained against were presumably to be examined as witnesses; and secondly, that it was presented by a person who had no ostensible motive for arrogating to himself the function of a public prosecutor beyond a declaration, contained in the

complaint, that he was a "friend of equity and even-handed justice". The district magistrate further stated that it was not a bona-fide complaint and that the object of the complaint was to intimidate witnesses on whom the prosecution presumably relied in the proceedings before the Commission.

The complainant did not leave the matter there, and applied in revision to the High Court. The High Court Judges, Birdwood and Jardine, took a serious view of the manner in which the magistrate disposed of the case, and brought to the notice of Government the statements made by the Mamlatdars during the trial of Hanumant Rao and said that Government should inquire into the conduct of the officials who had admitted that they had paid money for getting offices. When the record and proceedings of the case were received, a Full Bench heard the matter and held that the district magistrate had wrongly dismissed the complaint on extra-judicial considerations and that he must proceed to deal with the complaint according to law.

Meanwhile, the district magistrate who heard and disposed of the case was transferred from Poona, and when his successor took up the case, the complainant asked leave to withdraw it saying that he had no personal knowledge of the facts alleged in his complaint. The new magistrate examined him at great length as to the motives which had induced him to file the complaint and asked him to disclose the names of the persons at whose instigation he was acting. The complainant refused to answer these questions, and the magistrate ordered him to be imprisoned for seven days and dismissed the complaint.

This, again, was construed by the High Court as disobedience to their orders, and when they called upon the magistrate to explain, he made the situation graver by telling them that the complainant "had the impudence to trouble Their Lordships". The Court passed severe strictures on the magistrate and held that his action in dismissing the complaint and awarding imprisonment to the complainant for not having answered questions which the magistrate had no right to ask was not justified.

Having regard, however, to the fact that the conduct of the Mamlatdars and Deputy Collectors was a subject of discussion in the House of Commons and that directions about them had been issued by the Secretary of State for India and

enquiries were being made by the Government of Bombay, the Court ultimately came to the conclusion that no further action need be taken, and the papers were returned to the lower court.

While the Mamlatdars' papers were being tossed between the High Court and the district magistrate's court, the Bombay Government's inquiry was completed in another case of corruption against Crawford which was more serious than those referred to the Commission. It was again like the case of the Begums of Oudh. There were other allegations also against Crawford, but this one overshadowed them all. It was known as the Akalkote corruption case. Akalkote was an Indian state in the district of Sholapur, about 500 square miles in area, and with a population of 58,000 souls. Its chief, a Maratha, was young, and indeed until about that time a minor.

The facts of the case, as disclosed by the notes of inquiry instituted by the Secretary to Government in the Political Department, were as follows. It was found that in November, 1886, Vithal Tikaji, the manager of Akalkote, sought and obtained an introduction in Poona to Hanumant Rao as being an agent of Crawford. In consequence of this visit, Hanumant Rao visited Akalkote at the end of November and made arrangements with the Raja in person to meet Crawford at Sholapur on December 16, 1886. After this interview, Crawford visited the Raja at Akalkote and asked him to give Rs. 20,000 as a consideration for helping to get him invested with the powers of Chiefship. The same night at 11 o'clock Crawford arranged with Vithal Tikaji to obtain payment, suggesting that the money should be obtained from Baroda. The next day at another interview, the sum of Rs. 10,000 was agreed upon, and Tikaji (who was a Bombay Government official lent to the Akalkote state) was promised promotion in the grade of Mamlatdars which he received early next year, thereby superseding several seniors, although, as he was at the time in foreign service, his promotion without the sanction of Government was opposed to standing orders. On or about January 9, 1887, a sum of Rs. 4,000 was paid to Crawford. Next year, on January 24, the Political Agent (the Collector of Sholapur) recommended that the Raja should be invested with certain powers. Hanumant Rao again paid a visit to Akalkote and in consequence of it, another sum of

Rs. 10,608-2-0 was paid on February 8. This included journey expenses. The Raja did not have the full amount with him, and therefore, on the same day, the Rani delivered her personal jewels to one Ranji Dandekar of Baroda as a security for the advance. On February 12, some of these jewels were pawned by Dandekar with a Poona firm which paid him Rs. 6,000.

Thoroughly investigated, this was a fit case to be referred to the Commission, and the Government of Bombay asked for permission of the Government of India, which was given. But when the former sent a communication to the President of the Commission, Justice Wilson, he wrote back to say that he would withdraw himself from the Commission if more charges were added to the list already supplied.

Now the Commission started investigation of the charges first preferred against Crawford. The only vital evidence in the case was of Mamlatdars. After a long-drawn trial, the Commission acquitted Crawford on all charges of corruption, but convicted him on the minor charge of having contracted debts in the Division in which he served.

Crawford was however cashiered. His honourable acquittal left the Bombay Government in an unenviable position. The Government of India asked it whether it had given the Mamlatdars who had deposed against Crawford a promise of indemnity. The Mamlatdars were upset and ran to Tilak for help. He vigorously took up their case in the columns of the *Mahratta* and the *Kesari*, and got a Mamlatdar to apply for a copy of the Government note in which it was suggested that indemnity was the only means of bringing truth to light. The request for the copy was refused, and Tilak questioned through the columns of the *Kesari* the propriety of the Government's refusal. In making the demand for indemnity, he was armed with the authority of Justice Jardine who, in his judgment in the Mamlatdar complaint case, had prominently referred to the case of Lord Macclesfield, the Lord Chancellor, who had been in the habit of selling masterships in the Chancery for large sums. The necessary evidence against the Lord could not be obtained until a promise had been given to the Masters of the Rolls to indemnify them and to continue them in office if they stated all that they knew. The corrupt Lord Chancellor was deprived of his office and fined £30,000.

The Crawford case was somewhat different because here the charges of corruption had not been proved and unfortunately for the Government and the Mamlatdars, the Akalkote case was not entertained by the trying Commission. But the fact remained that promises were made to the Mamlatdars, and the *Mahratta,* in its issue dated July 7, 1889, deprecated that, instead of keeping their word of honour, the Government was either depriving the Mamlatdars of their jobs or giving them lower posts under their subordinates.

When nothing came of the press propaganda and direct approach to the Government, Tilak thought of the next best alternative and took the case to the sessions of the people. A public meeting was held on September 1, 1889, at which Tilak made his first public speech. He told the people what kind of Government they had: its promises were not intended to be fulfilled. What value could the people attach to the promises of such a Government? He quoted instances from British history to show how in England indemnity was granted in similar cases. But since in the Crawford case the persons to be benefited happened to be Indians, the Government left them to their own fate. He asked the audience to unite over this issue.

Having despaired of getting a fair deal from the Governments of Bombay and India, the Mamlatdars thought of fighting their case in England, and approached Tilak to undertake it. At this suggestion, an idea ran across Tilak's mind; it was that, instead of going to England, he should take advantage of Charles Bradlaugh, that great friend of India and Member of Parliament who was to visit India in December to attend the Congress. Meanwhile, Tilak posted Bradlaugh and another friend of India, Digby, with the full facts of the case and asked them if they could do anything for the afflicted Mamlatdars. Both admired his "statesmanlike proposals and the tenacity with which he was working" for a cause. They took up the question in Parliament, but without any effect.

The way Tilak threw the whole strength and passion of his being into the work of Mamlatdars made a great impression on the public mind. The case concerned only a microscopic section of the people, but the urgency he attached to it and the call he gave to the citizens of Poona to unite to fight for a cause was the first lesson they learnt in constitutional agita-

tion. The fight was not without result, and in the end some of the Mamlatdars were allowed to retain posts while the others were found alternative jobs. The Mamlatdars, overwhelmed with gratitude, presented Tilak with a silver watch and a scarf. The fateful watch remained on his wrist till his last breath.

CHAPTER VIII

IN CONGRESS

IN December, Tilak was elected at a public meeting as a delegate to the Bombay Congress. The following entry appears in the Congress register:

Delegate number—401; *Presidency or Government*—*Bombay; Congress circle*—*Deccan; Electoral Division*—*Poona; Name in full with honorary titles, scholastic degree, etc.*—*Mr. Bal Gangadhar Tilak, B.A., LL.B.; Race, religious denomination, and caste, if any*—*Hindu, Brahmin; Occupation and address*—*Professor, Fergusson College and journalist; How and When elected*—*By public meeting at Poona,* 15*th December,* 1889.

It was a memorable session. Future leaders of India, Tilak, Gokhale and Lajpat Rai, appeared on the Congress platform for the first time. The trio of Bal, Lal and Pal (Bal G. Tilak, Lala Lajpat Rai and B. C. Pal), popularly known in the first two decades of the twentieth century as the extremist leaders of India, saw one another little knowing that at no distant future they would join hands in a big undertaking. Pal was their senior then, having been associated with the Congress since 1886.

The first day of the Congress was almost wholly occupied with the long addresses of the President and the Chairman of the Reception Committee. On the second day—December 27—the proceedings began with the resolution on the expansion and reform of Legislative Councils to which Tilak moved an amendment in a maiden speech.

The President, opening the proceedings, said: "Gentlemen, the first business—and it is a very important one—that will be brought before you today will be the scheme for the reform of the Legislative Councils. As you are aware, a Draft Bill has been prepared by Mr. Bradlaugh and has been circulated throughout the whole of India."

The scheme proposed:

(a) The Imperial and Provincial Legislative Councils to consist respectively of members, not less than one-half of whom are to be elected, not more than one-fourth to be ex-

officio and the rest to be nominated by Government.

(b) Revenue districts to constitute ordinarily territorial units for electoral purposes.

(c) Voters in each district to elect representatives to one or more electoral bodies, according to local circumstances at the rate of twelve per million of the total population of the district, such representatives to possess certain qualifications, and not to be subject to certain disqualifications, both of which will be settled later.

(d) All the representatives thus elected by all the districts, included in the jurisdiction of each electoral body, to elect members to the Imperial Legislature at the rate of one per every five million of the total population of the electoral jurisdiction, and to their own provincial Legislature at the rate of one per million of the said total population, in such wise that whenever the Parsees, Christians, Mohammedans or Hindus are in a minority, the total numbers of Parsees, Christians, Mohammedans or Hindus, as the case may be, elected to the Provincial Legislature, shall not, so far as may be possible, bear a less proportion to the total number of members elected thereto, than the total number of Parsees. Christians, Hindus or Mohammedans, as the case may be, in such electoral jurisdiction, bears to its total proportion. Members of both Legislatures to possess certain qualifications and not to be subject to certain disqualifications, both of which will be settled later.

The amendments moved by several delegates from distant parts of the country, though not accepted, are interesting and worthy of notice, representing as they do the sentiments of the age. Hume wanted the 'minority clause' to be deleted. His argument was: "Indians are Indians. Why should there be majority or minority?" But many did not support him. Hidayat Rasul, of Oudh, proposed that, although the Hindu population was a majority, the number of Hindu and Muslim members in the Central Council should be equal. His own co-religionist, Hamid Ali Khan of Lucknow, opposed him, arguing that no such question as Hindu or Mohammedan should be raised. Another Muslim delegate, Wajid Ali Biwaji said, in an excited tone of voice, that "the number of Muslim members in the Council should be thrice that of Hindus". A fourth Muslim delegate, opposing these suggestions, said: "We have assembled here for one common object. On such

an occasion the Mohammedans cannot call themselves Mohammedans; nor Hindus, Hindus; but rather, forgetting all differences of creed, caste and colour, we should call ourselves Indians". And when Hidayat Rasul's amendment was put to vote, even the Muslim delegates voted against it.

Tilak did not take part in the Hindu-Muslim controversy but moved a basic amendment to the scheme. He said:

"I beg to propose, as an amendment, that instead of asking the different electoral bodies to elect members to the Imperial Legislature, the elected members of the Provincial Legislative Council should constitute the body to elect members to the Imperial Council. As I have moved this amendment more from a sense of duty to my province than from any confidence in my own oratorical powers, I shall not trouble you with any platitudes about this National Congress. What I have to do is to place before you the reasons that induce us to come forward with this amendment, although we know there is very little chance of its being accepted by other provinces.

"The Supreme Legislative Council must have on it representatives from the different Presidencies and not from districts or divisions, and I think it will be more in accordance with this principle to allow representations to a Presidency than to a sub-division of it. It is not each division that has to elect a representative to the Imperial Council, but it is each Presidency that has to do it.

"Then, you have adopted indirect representations; that is, the members of the Council are not to be directly sent by the voters, but through the medium of electoral bodies. Therefore, the natural sequence is that the provincial Councils should elect the Imperial Council.

"You have been told that municipalities and local bodies are not allowed representation direct because they have not the best of your men. But you have the best men in your Provincial Councils, and, if you entrust them with the task of selecting men for the Imperial Council, I am sure you will not be placing the power in the wrong hands.

"The last objection I have to urge to the proposed system is that it is cumbrous every time to ask an electoral division to send members to the Provincial Council and also to the Imperial Council.

"If you will consider the logical sequence of the proposal

and the local circumstances of the several Presidencies, especially that of Bombay, where there will be several electoral bodies, if you will consider that it is the provincial interest that you have to represent and not the divisional interest in the Imperial Council, you will find that the amendment is at least more in conformity with the view you have already adopted than is the resolution as it now stands.

"With these few words I propose the amendment, which will run thus: 'That elections to the Imperial Legislature shall be made by the elected members of the Provincial Councils.' "

The amendment was ably supported by G. K. Gokhale. This was incidentally the first and the last occasion on which the two Maharashtrian leaders agreed with each other. The amendment was, however, rejected.

The Father of Indian Unrest, as Tilak was later called by British historians, gave absolutely no hint of his bitterness against the British rule at the annual meeting of the national assembly. Perhaps he had no bitterness yet. But his future collaborators in the extremist party, Pal and Lajpat Rai, broadly indicated that the British exploitation had made India poor.

Lajpat Rai's speech was interrupted by Pherozeshah Mehta, who rising on a point of order said that the speaker ought to confine himself to the proposition before the Congress. And the President asked the speaker to keep to the question of the resolution that had been placed before the meeting.

Now that the history of the activities of these leaders is common knowledge, Mehta's interruption appears to be very significant. We had in him a strictly constitutional politician, and while Pal and Lal steadily gravitated towards extremism, he became a confirmed moderate.

In several provinces, the local authorities behaved very shabbily, and a feeling of bitterness against the British was bound to grow. For example, Ajudhia Nath, a delegate from the North-West Provinces, brought to the notice of the Congress that he had been shadowed from Allahabad by a head constable who was moving about in the compound and making close inquiries about the persons from the North-West Provinces, especially the Government officials. After Ajudhia Nath had narrated his story, Eardley Norton, of Madras (who had moved the resolution on the reform of

Councils), told the Congress that Colonel Weldon, the Madras Commissioner of Police, "is here in charge of all the delegates from Madras". There was uproarious laughter, followed by cries of 'shame'.

The Congress was an innocuous body, but several provincial administrations frowned on those participating in it and, for that matter, in any political organization. The barest criticism that was offered at the annual sessions was enough to offend them.

In the Bombay Presidency, as in other provinces, there were imposed several new taxes which hit the poor hard. These were the salt tax, excise duty, forest laws etc., against which the Congress ceremoniously adopted resolutions and the press protested every now and then. Government's indifference to protests exacerbated men like Bal, Lal and Pal, and with the passage of time, their opposition to the British rule grew. With most Congress leaders being satisfied with the annual Congress show, the pace of men like Tilak was bound to be slow. But he seized every opportunity that came his way to arouse feelings of national self-respect in the people which was another way of telling them that they were under the domination of a foreign power and that they should be prepared to fight for their political rights.

CHAPTER IX

AGE OF CONSENT BILL CONTROVERSY

Byramji Malabari, a renowned social reformer of this age, was deeply touched by the miserable consequences that followed, in some cases, the early marriage of girls. In the late eighties, he was in England, and there, with the zeal of a missionary, he started propaganda urging the need of a legislation to raise the marriageable age of Indian girls from ten to twelve.

His proposals were:

(1) Intercourse by a husband with his wife, under twelve years of age, should be made penal.
(2) In cases of infant marriage, the wife should be entitled to cancel the marriage, should she so desire on attaining majority.
(3) Suits by husbands for the restitution of conjugal rights should not be allowed.
(4) A widow who re-marries should continue to hold her first husband's property.

On his return to India, Malabari started a signature campaign in Poona in favour of his proposals. This naturally gave rise to a controversy in which the educated people were evenly matched. Tilak was one of those whose approach to the problem diametrically differed from Malabari's. From the bulk of Tilak's writings and speeches, the pertinent point that emerges is whether the reform should be forced on the people with the rigours of a law or if it should flow from the natural growth of a conviction that early marriage is harmful. Tilak had a strong group of influential men behind him who strongly resented Government interference in social affairs of the community. All manner of arguments were advanced, some even suggesting that the proposed law would be an attack on the Hindu religion and Hindu culture.

During the year 1890, not only in Poona but in many parts of India, it was the most hotly debated subject. The Poona leaders called a meeting for October 26, 1890, in order to

assess public opinion. While the resolution for the public meeting was being drafted, Tilak came out with his proposals and urged their incorporation in the resolution. The proposals were:

(1) The lower age-limit for marriage should be 16 for girls and 20 for boys.
(2) Men above 40 should ordinarily not marry, and should they marry at all, they should marry widows.
(3) The use of liquor at marriage functions should be prohibited.
(4) The custom of dowry should be abandoned.
(5) Disfigurement of widows should be stopped.
(6) One-tenth of the monthly income of every reformer should be devoted to public purposes.

These objects, said Tilak, adding a rider to his proposals, should not be sought to be achieved by law, but by gradual development of that social sense which the educated people had acquired and the others had not. Therefore, he suggested that those who were at the top of the social ladder preaching reform should give a lead by personal example.

He told the meeting that if the desired reform was thrust upon the people, the consequences would not be happy. He urged again that the reformers should first convert themselves and their families without any reservation.

He knew that not unoften reformers betrayed a lack of courage when occasion arose for the application of a reform in their own families. An example, though unpalatable, may be mentioned. Ranade, in his time, was the leading advocate of widow re-marriage. In October, 1873, he lost his wife after a prolonged and wasting illness. Two months later, at the age of 32, he married a virgin, Ramabai. "The supporters of widow re-marriage," observes his biographer, D. G. Karve, "were wroth because Ranade did not take an opportunity to set an example, and the orthodox party was presented with a debating point making out that Ranade's advocacy of social reform was after all not so sincere as people were led to believe." Keshab Chandra Sen, that celebrated reformer of Bengal, also provided an example, though of a different kind, which violently shook the people's faith in reformers.

To return to the subject, the public meeting was attended by over 5,000 people, and with the advantage of having already formed a favourable public opinion by his writings in the *Kesari*, Tilak overwhelmed the audience by his arguments. At another meeting, at which Ranade also spoke (of course in favour of the proposed legal measure), Tilak again advised the reformers to do some constructive work for the society and create public opinion in favour of the contemplated reform by educative propaganda. The suggestion inevitably involved strenuous work, while the law provided a short cut. But the law was bound to let loose the victimising police force, and we all know what it was in India in the nineteenth century.

The orthodox Brahmanical group was irrational in its attack on the reformers, but Tilak reduced their case to fine logic, and even those among the educated who were swayed by the reformers' reasoning were now veering round to Tilak's viewpoint. Partly on religious grounds and partly because they questioned the very authority of a legal enactment to introduce changes in the society, many leading men of India, like Sir Romesh Chandra Mitra, Woomesh Chandra Bonnerjea, Sir T. Madhavarao, Surendranath Bannerjea, Chimanlal Setalvad, were opposed to the society being reformed by law. Public resentment in Calcutta was mounting with the rapidity of a storm, and when a public meeting was called to protest against it, one lakh people attended it. Never before, in the history of that city had so many men gathered together to voice their feelings of protest.

With all the good intentions but ignoring public opposition, the Government of India agreed to frame a law to penalize early marriage, and the Age of Consent Bill, as the measure was called, was introduced in the Imperial Legislative Council on January 9, 1891. The mover, in his introductory speech, said that there was no intention at all to interfere with religion or to injure the religious susceptibilities of the people. He emphasized the innocuous character of the Bill which merely raised the age of consent from ten to twelve. His speech left no manner of doubt that the high waves of protest that had been stirred up in the country were out of all proportion to the simple nature of the legislative measure.

But instead of slackening, the opposition was mounting as the Bill was passing through the usual stages in the

Council. Muslims too were organizing their meetings and characterizing the Bill as an attack on their religion. Tilak was more unrelenting than ever, and week after week, the *Kesari* was lashing out attacks on Government on the one hand and replying, on the other hand, in a vigorous style, to the points of the reformers. Tilak's most formidable opponent in the camp of reformers was Dr. Bhandarkar. Shastras were freely invoked by the two and interpreted as supporting the stand each had taken. It was a learned discourse which was carried on in the columns of the weekly press from week to week.

Once again, after the introduction of the Bill in the Council, there was a spate of public meetings, and as a river collects tributaries and moves proudly towards the sea, so did support from all directions flow to Tilak. Eminent lawyers, landlords, businessmen were all with him, and all regarded him as a natural leader of men. At a public meeting in Bombay, at which he was the principal speaker, 5,000 people signed a petition praying to the Government not to proceed with the Bill. Eight days later, on February 15, 1891, the petition was presented before a Poona public meeting, and 2,500 signatures were obtained on the spot.

This triumphal march damped the enthusiasm of the other group, and finding the public opinion aggressively arrayed against it, it slackened its efforts. In the beginning, one or two public meetings that the reformers had held ended in disaster, with hundreds of people constantly disturbing the proceedings. On one occasion, the disturbers lost control of themselves, and smashed the doors and furniture of the meeting hall. Tilak was present on the rostrum, and the scene looked like a rehearsal for the Surat Congress (1907). Terror-stricken reformists were to be seen escaping into the adjoining house. Tilak had attended the meeting for the purpose of moving an amendment to the reformers' resolution, perhaps not knowing that the enthusiasm of his supporters would overflow the limits of order and decency. The reformist organisers of the meeting and subsequently their mouthpieces openly suggested that it was Tilak who had engineered the trouble. Their argument was that when the disturbance began, they requested Tilak to advise his followers to restrain themselves, but he declined to appear on the rostrum. Tilak denied that the trouble was pre-planned; at

any rate, he had no knowledge of it.

A South Indian daily suggested in its report of the incident that Tilak was the author of the trouble. The Poona correspondent of the paper was a social reformer, and his despatch was not objective. With quite a large circulation, the paper's report was likely to lower Tilak's reputation, and therefore he served it with a notice demanding withdrawal of the news item in question. Wisely enough, the paper came out with a contradiction and apology, and the affair was closed.

When all was said and done and the Bill became law, among those who were found cautiously circumventing it were some reformers also. But Tilak stuck to the convention, which, at his instance, was sought to be established at the first public meeting, and he performed the marriage of his daughters after they had attained the age of sixteen. Yet he still largely remains, as indeed he did in his own day, an enigma; his adversaries said he was on the left in politics and on the extreme right in religious matters. But a careful analysis of what he said and did leads to an entirely different conclusion. He wrote in the *Kesari*, dated June 7, 1892: "There is considerable resemblance between our difficulties in the political field and those in the social sphere; neither the present administration of the country nor the structure of our society completely satisfies us. We want to reform both. The English administration as well as the Indian society have solid foundations; we are, therefore, bound to proceed with caution. Now, if people are willing to accept political reforms in a spirit of conciliation and compromise, we fail to understand why we should like to proceed with social reform in a defiant manner. Fanatical opposition might sometimes succeed, but as a rule in political and social matters, fanaticism is suicidal."

At the fourth Social Conference, held in Calcutta in December, 1890, in the Congress Pandal, Tilak supported a resolution of R. N. Mudholkar, deprecating child marriage. Next year, at the Nagpur session of the Social Conference, he offered a practical amendment to the resolution on widow re-marriage, by proposing that it should be incumbent on the social reformers not only to attend a widow re-marriage ceremony, but to take part in the marriage feast also. He said mere lip sympathy did not yield results; what was needed was to bring home to the people that those going in for

widow re-marriage would not be looked down upon, and that was possible only when the reformers displayed a courage of conviction.

Before the mass of evidence to the contrary, the charge that Tilak was anti-reformist evaporates into thin air. In 1889, when there was little hope of Government taking up a measure like the Age of Consent Bill and when social reformers, under the leadership of Ranade, issued a circular calling upon the people to avoid child marriage and asked them to sign a peldge to this effect, Tilak readily signed the pledge and associated himself with the movement. That method exactly fitted in with his own, and he liked the reformers' direct appeal to the people.

But when the Government came out with a legislative proposal, the reformers abandoned what they called a cumbersome method and retired in favour of the Bill, as if something had come for the deliverance of the society. Both sides were honest in their convictions, but in the race that inevitably was quite long, Tilak left his adversaries far behind; he even succeded in persuading the Bombay Provincial Conference (May 1891) to pass a resolution regretting that the Government did not respect the public opinion on the Bill. Reformers present at the Conference remained neutral. Tilak had an overwhelming majority on his side.

Six decades have rolled by since Tilak led the opposition against the Age of Consent Bill, and it has been amply demonstrated how prophetic he was in telling his contemporaries that not by law but by the slow growth of conviction could the object be achieved. Both the Age of Consent Act and its better successor, the Child Marriage Restraint Act, commonly known as the Sarda Bill, born about four decades later, remained practically ineffective, and child marriage continued as if these laws did not exist on the Statute Book. During this period education made great advance, and public opinion gradually tended towards late marriage, and now child marriage is a rare phenomenon, at any rate in the towns.

Tilak was dubbed by some, during the Age of Consent Bill controversy, as a reformist, and rightly because by advocating that the marriageable age should be raised to sixteen for girls and twenty for boys, he went ahead of the provisions of the Bill. He was too great and incomprehensible even for

his by no means puny contemporaries. He wished to utilise religion for politics, and how amazingly he did it is proved by subsequent stormy events. As the Lytton administration and the Ilbert Bill quickened the pace of political agitation in India, so did the Age of Consent Bill give Tilak an opportunity of mobilising public opinion in Maharashtra. By invoking the Ganapati and Shivaji festivals to shake up the inert masses to rise against the British, as we shall see in subsequent chapters, Tilak became the mouthpiece of his country's will to be free.

CHAPTER X

A STORY OF SIN AND ATONEMENT!

ABOUT the time the political leaders of Maharashtra were crossing swords over the Age of Consent Bill, a young talented widow happened to raise another storm in the social life of Poona, which at first sharply divided opinion among the educated, one section favouring her activities and the other looking upon them with suspicion. Tilak belonged to the latter, and so shrewd was his reading of the situation that ultimately the differences between the two sections disappeared and both joined hands for a common objective. The story briefly is as follows.

In 1878, news reached Bombay that a Hindu lady, Ramabai, possessing an attractive personality and powerful mental faculties, had come in the forefront in the educational circles of Calcutta and that she had eclipsed eminent scholars in Sanskrit lore. But a number of misfortuntes so overwhelmed her that she left Calcutta for Bombay and later took her abode in Poona in 1882. Her fame had reached Poona even before her arrival, and then, her youth, her learning, her widowhood, made a great impression on the public mind. Her eloquence and erudition won her many admirers in a short time, and when she started a public institution, the Arya Mahila Samaj, in the same year, those in the forefront of Poona's social life became its patrons.

But after some years, her life took a dramatic turn. Happening to come in contact with Miss Hereford, Superintendent of a Mission Girls' School, and some Christian missionaries, she managed to go to England and thence to America. From there, she returned a Christian, and with a promise from an American missionary organization that her social and educational work in India would be financed by it for ten years.

In Poona, she made it known that the donations were free of any obligation on her part to work for the missionaries. She started a social service institution, called the Sharda Sadan, in March, 1889. The Sadan admitted widows, preferably those of the higher classes. Prominent social reformers

like Ranade, Dr. Bhandarkar, G. H. Deshmukh and K. T. Telang were among the well-wishers of the institution.

In December, a seemingly innocent item of news appeared in the *Christian Weekly* which tore a hole into the curtain that shielded the inside activity of the institution from public gaze. It said that out of seven child widows in the Sadan, two were inclined to embrace Christianity and were attending prayers and receiving instruction from a missionary teacher. It further declared that the Sadan could be reckoned as a Christian institution. Tilak, who had had a shrewd suspicion of the Sadan's activities, gave vent to his feelings in the *Kesari* and warned Hindus against sending girls to that institution until after they had tested the authenticity of the news and found it to be incorrect.

It was further discovered that the Sadan carried on clandestine propaganda on behalf of Christian missionaries and that its facade noticeably differed from its interior. When not a shadow of doubt was left, Ranade and others withdrew from it saying that they had strong reasons to believe that many of the girls were induced to attend Ramabai's Christian prayers.

So far as Hindus were concerned, Ramabai's institution had now fallen from grace in their eyes, and she had to remove it to a village in the district. Hindu masses, as a rule, have always looked upon Christian or Muslim converts with unpardonable disdain. Before the advent of Swami Dayanand, converts very seldom found re-entry into the Hindu fold. The point may be illustrated by an example. Ever since the consolidation of the British rule in Maharashtra, missionaries had been carrying on Christian propaganda with some Hindus making feeble efforts to counter it. Balshastri Jambhekar, a learned reformer, discovering that a Brahman boy of tender age, named Shripad Sheshadri Paralikar, had been converted by a missionary, approached the proper court of law and secured permission to take him back into the Hindu fold. It was easy for Jambhekar to secure a favourable decision from the court, but an uphill task to re-convert the boy. As if he were going to sin against the Hindu society, the fury and abuses of Hindus, particularly of Brahmans, began to rain upon him.

Some years after the Paralikar episode, certain enlightened men among the Hindus started a secret society, called the

"Param Hans Sabha", whose objects were: (1) to eliminate caste distinctions; (2) to encourage widow re-marriage; and (3) to discard idol worship. The Sabha worked secretly for some time, but when its objects became known, its existence became precarious, and it had to be disbanded. Similarly the Prarthana Samaj, of which Ranade was the leading light and which was not so 'daring' as the Param Hans Sabha, remained ineffective.

Such was Maharashtra in those days when Tilak had taken upon himself the task of making his people politically conscious.

Another example in which Tilak was himself thickly involved may be given. After the Age of Consent Bill storm had passed and equanimity had returned, there occurred verily a storm in the tea cup, which created serious misgivings about Tilak among the Sanatanists who now looked upon him as their leader and saviour of the Hindu Dharma. One Joshi, a convert to Christianity, invited Ranade, Tilak and some other distinguished persons of Poona to a lecture in a school run by the Punch Howd Mission. The lecture was followed by light refreshments—biscuits and tea—although the invitation itself did not indicate it. No notice was taken by anybody of the lecture, until the names of those who participated in the tea party appeared in the press. The news spread like wild fire, but what most surprised and stunned Tilak's Sanatanist followers and friends, and to some extent the reformers too, was that he was one of the participants.

Only the enlightened among the Sanatanists had correctly appreciated Tilak's attitude to the Age of Consent Bill, but to the mass mind he was simply an apostle of the Hindu Dharma. News of the party gave them a rude shock. His close friends, led by Sardar Natu, who was on very intimate terms with him, were now his opponents.

Tilak defended his action on the authority of Hindu scriptures themselves and even suggested that for such delinquencies atonement was provided for by religious authorities. The opponents were not satisfied and referred the matter to the Shankaracharya, the highest authority on Hinduism. The question was examined by the Shankaracharya's deputies, but they expressed divergent opinions which, in effect, cancelled each other. Eventually, in order to appease the

orthodoxy, Tilak had to do penance in Banaras.

Close on the heels of this episode occurred another. This time Agarkar, a confirmed reformist but rather inimical to Tilak since the Deccan Education Society affairs led to Tilak's resignation, published in his weekly, the *Sudharak,* that Tilak had taken food from the hands of Mohammedan or Portuguese mess-men. There was again a flare-up among the Sanatanists. But the news was a canard, and appearance of a contradiction in the press undid the mischief.

In November, 1891, while the ashes of opposition to the Age of Consent Bill were still hot, the Government came out with another measure—the Vaccination Act—which, to Tilak, was again an undesirable measure. He feared that this measure might also prove an "engine of oppression in the hands of the sanitary department". Again, his argument was that in a province where education was spreading the people were taking kindly to measures of reform and that it was impolitic to force reform by legislation.

CHAPTER XI

A LEADER IN THE MAKING

EARLY in 1890, the retiring Governor of Bombay, Lord Reay, figured rather prominently in the press of the Presidency. He was to be given a warm send-off and efforts were being made to perpetuate his memory. One section of the press was critical of his administration and the other was all praise. Among the latter was the *Kesari,* which, in its issue dated March 25, 1890, said: "Whatever the traducers of Lord Reay may say to the contrary, it must be admitted that though His Lordship might have committed a few mistakes, yet the Bombay Presidency has, without doubt, made much advance during his administration, which has been such as to be for ever remembered for the various good tracts evinced therein by His Excellency, such as zeal for public interests, a leaning towards popular rights and privileges, regard for public opinion, thorough watchfulness of disposition in private. Lord Reay will shortly retire from office, and it is the duty of the public to show its regard and gratefulness to His Excellency and to raise a suitable memorial to him with united exertions."

But the other section of the press maintained that the Reay Government was found wanting in justice in the case of Mamlatdars, and the Governor did not deserve any felicitations. Although Tilak's papers had been more critical of the Government than others, he could not ignore the fact that Governor Reay had shown extra-ordinary courage by setting up a Commission of Inquiry against Crawford in the teeth of bitter opposition from his officers and the entire Anglo-Indian press. Therefore, at the Provincial Conference, Tilak spoke in support of the resolution which "gratefully appreciated the conduct of the Government of Bombay and congratulated it on having done its duty by vindicating the purity of public services and removing the cause of a long-standing scandal." Tilak knew that it was the Government of India which, in spite of all pleadings of the Bombay Government, stood in the way of the Mamlatdars' reinstatement.

The following comment of the *Bakul,* a Marathi weekly

of Ratnagiri, typifies the tone of criticism adopted by the opposition press: "What business has the Provincial Conference to pass this laudatory resolution? Those who were in charge of the resolution have taken upon themselves a serious responsibility. Are they prepared to defend the Bombay Government in all the proceedings of the Crawford Case? But we are not much surprised at the people of Poona. Those who dismissed the Secretary of the Poona Sarvajanik Sabha for having had talks with Mr. Crawford are capable of bringing before the Conference a resolution white-washing the local Government!"

The Crawford episode was followed by another controversy. Lord Reay was suceeded by Lord Harris, and the Bombay Provincial Conference decided to present an address of welcome to the new Governor, who accepted to receive it. There was jubilation in political circles, and elaborate preparations were set afoot. After long deliberations and longer discussions, the draft of address was prepared and then circulated to the office-bearers and principal members of the Conference. In the meantime, the Governor cancelled the engagement. The immediate cause of cancellation was the Conference Secretary Namjoshi's failure to keep an appointment with the Governor. Namjoshi had his difficulties, and, as the *Mahratta* (dated June 29, 1890) remarked, "the number of serious workers" in the Conference was "very small, and one or two persons had generally to bear the whole burden". The cancellation caused deep disappointment and the press variously commented upon it. Some papers, like the *Pratod* (June 30) showed extraordinary courage by asserting that "in declining to receive the address of the Conference, Lord Harris has shown disrespect to the people of the Deccan and thereby hurt their feelings. For this act of childishness, the people are likely to hate Lord Harris." Others like the *Phoenix* (July 2) censured Namjoshi for his "irresponsible behaviour". The *Pratod*, older than the *Kesari*, was a very fearless paper of Maharashtra, and in later years, its editor suffered imprisonment.

At the 1890 Political Conference, Tilak transcended the limit which convention had set on speeches and proposed a resolution condemning the excise policy of the Bombay Government and demanding adoption of the principle of local option. He gave facts and figures to prove that consumption

of liquor was on the increase, and challenged the Government statement which sought to make out a case that it was taking all possible efforts to discourage the drink habit. He suggested that power to start or close a liquor shop should vest in municipalities, local boards or village panchayats and not in the Excise Department whose one job was to increase the revenue of the state year after year.

The new vigour that he introduced into his speech at the Conference was kept up, and on September 28, the *Mahratta* editorially commented: "While there has been a good deal of tall talk on our part through Congresses and Conferences, and a great deal of rosy assurances from rulers of the land, little has been really achieved during the past six years, either by way of political or industrial prosperity. The attitude of the various local Governments with regard to the question of the working of the jury system in India was the subject of comment throughout the press of the country not long ago. We have had a number of despatches on the question of the enlargement of the basis of nomination and representation on the Legislative Council, but the question still hangs fire, and it is uncertain whether we shall have anything tangible in that direction in the definite future. Next December, the Indian National Congress will enter upon its sixth year, but what demand of the people has been granted? The answer is very discouraging".

Within a year of his participation in the deliberations of the Political Conference, Tilak made an impression on the members as a leader in the making and was elected as one of the secretaries, which office he occupied for several consecutive years, the other two secretaries being Dinshaw E. Wacha and Chimanlal H. Setalwad. In 1891, it seemed as if the Conference was completely under his thumb.

One of the items of the agenda was the much-discussed Age of Consent Bill, and since it was a highly controversial measure, a suggestion was mooted by some that Poona should not be the venue of the Conference that year. But Tilak, with the following of the majority of delegates, put his foot down and eventually, the Conference, as usual, met there. In the city of Poona, the delegates were elected by municipal wards; this democratic procedure was adopted in order to bring home to the Government the attitude of the people at large towards the Age of Consent Bill. And when

Tilak rose to move the resolution on the Bill, there were spontaneous gestures of approval, and an overwhelming majority of the delegates voted for it.

Ever since the Bombay Provincial Conference came into existence, Poona had been the venue of its annual meeting, and this fact led many to declare that the Bombay Provincial Conference was in reality a Maharashtra conference. The assertion was not wholly untrue because at the annual gatherings, while the Maharashtrian districts were over-represented, others were either represented inadequately or went completely unrepresented. The proceedings of the Conference were conducted in Marathi, which again gave cause for complaint. The representative character of the Conference was questioned by several journals, but as one of them, the *Gujarati,* said, for this the promoters were not to blame. They sent invitations to the leading citizens in each district, did what they could to secure adequate representation of all districts. "An important province like Gujarat", the paper observed, "sends no representative at all. This indeed is very discouraging and shows in a convincing manner how its people are apathetic in political as in other matters".

At the 1891 Conference, which was again held at Poona, the speeches and resolutions made an advance in tone and tenor. They brought to the fore the sufferings of the people in a more direct form than at the previous gatherings. The resolution on salt tax asked the Government to so amend the definition of the word "manufacture" in the Salt Act as to exclude all processes of cleaning and purifying from the scope of the Act. A graphic picture was presented of how the poor people had been put to great hardship and were liable to come into the clutches of law if they simply cleansed and purified impure salt for domestic purposes.

Another resolution expressed regret at the oppressive policy of the Government in imposing harsh restrictions on free grazing in open forest areas. But as is apparent from the comment in the *Mahratta* on the Conference of 1891, Tilak was not satisfied with the pace of political progress: "The rulers apparently hold that the suggestions which the people make about administrative reforms are impracticable. We hold otherwise, and unless we strengthen our case each year, it is impossible that solutions of the several administrative problems can be brought nearer."

CHAPTER XII

INDIA, DEMARTIALIZED AND ENERVATED

In 1891, the Congress met at Nagpur, and to the agreeable surprise of many, the trend of speeches suddenly swung to the countryside. Speaker after speaker gave a graphic account of the woeful conditions he had witnessed in the villages. The new forest law had deprived men and cattle of their natural rights. With a single stroke of the legislator's pen, the forest laws had extinguished the communal rights of the people—rights which had been enjoyed from times immemorial. Under the pressure of necessity people were driven to infringe the all-embracing forest laws and stood liable to criminal prosecution. For petty lapses of the law, thousands of criminal prosecutions were already taking place in many districts.

At this Congress Tilak was given the privilege of moving the resolution on the Arms Act; it was indeed a privilege because ordinarily only seasoned politicians and old Congressmen were entrusted with this task. There had been considerable resentment in the country against the Arms Act which had the effect of emasculating the whole nation. The Congress protested against it year after year. But while in the previous years this subject formed part of an omnibus resolution, at the Nagpur Congress a separate resolution was drafted in order to impart greater importance to it. For this reason and for its own content, Tilak's speech on the resolution is reproduced here in full. He said:

"Ladies and gentlemen, our worthy President observed yesterday that in this world of imperfections the burden of duty often falls upon unworthy shoulders, and I stand before you as an illustration of his observations. The proposition that has been entrusted to me ought to have been entrusted to stronger hands. I can only say that I will try to do my duty. The resolution runs as follows:

That this Congress, concurring with previous Congresses, is of opinion that, to ensure the adequate protection and

efficient defence of the country, it is desirable that the Government should conciliate Indian public opinion and encourage and qualify the Indians to defend their homes and their Government

(a) by so modifying the rules under the Arms Act as to make them equally applicable to all residents in, or visitors to, India, without distinctions of creed, class or colour, to ensure the liberal concession of licenses wherever wild animals habitually destroy human life, cattle, or crops, and to make all licenses granted under the revised rules of life long tenure, revocable only on proof of misuse, and valid throughout the provincial jurisdiction in which they are issued;

(b) by establishing Military Colleges in India whereat natives of India, as defined by statute, may be educated and trained for a military career, as commissioned or non-commissioned officers (according to capacity and qualifications) of the Indian army;

(c) by organizing throughout the more warlike races of the Empire a system of militia service; and

(d) by authorizing and stimulating a widespread system of volunteering, such as obtains in Great Britain, amongst the people of India.

"Shortly summed up," Tilak said, "the resolution comes to this: in the first place it relates to the military policy of the British Government. Hitherto it has been included in what was called the omnibus resolution. It has now been separated; and this year, in laying down the programme, we have given it as a separate item as distinct from several other questions affecting the civil administration of the country. Our old writers and old Governments divided the Indian community into four parts: those whose business was, respectively, literature, commerce, war, and agriculture. The charge sometimes brought against the Congress that it is a mere gathering of place-hunting literati seems to have little weight when on examining the resolutions we find that the great bulk relates to measures requisite for the relief of the poverty of the masses.

"While one refers to agriculture, others refer to the military protection of the Empire, to the reforms in the judicature, and only one to education and that mainly technical education.

Here we have a resolution with which we—I mean those of us who do belong to the literary class—have but little direct concern; it is a resolution directly in the interest of the more warlike races and members of the community, though indirectly, in so far as it will operate to diminish military expenditure, affecting us in common with the entire community of which we are fractional component part.

"But when we ask for certain military privileges for our more warlike brethren, we are often told we are the only persons who want them; and when application is made for permission to start a military college, we are told that there are military difficulties in the way. That was the answer that the Government of India made last year in response to an application to start a miltary college in the Deccan to which His Royal Highness the Duke of Connaught had kindly consented to give his name.

"The principle involved in the resolution has been so far recognized in practice that we have made an appeal to the Government of India to grant us concession, and their reply is that they do not dispute the principle, but there are administrative difficulties in the way. That is a very good excuse in its way, but the difficulty is not insurmountable. If we only keep on, it may soon vanish."

Drawing attention to the mounting military budget, he said: "Now we do not wish our people starved to death at this present time, because 25 years hence, the Russians may venture on a raid into India. We want the cost of these military preparations largely reduced. But we do not desire to weaken the Government. On the contrary, we wish to strengthen it, to render it impregnable to all assaults, whether from Russia or any other foe; and we ask the Government therefore to associate our people in the responsibilty for the defence of our country; to take measures to train our people to fight for their homes and their Government; to keep alive the martial spirit where it still exists; to revive it where, by their present short-sighted policy, they have almost smothered it, and generally to realize that with the people, prosperous and contented and qualified to strike a good blow for hearth and home, it would be far more powerful for all good purposes than though it were able to create an army doubly as strong as the existing huge force. It is in this light that we have to consider this resolution. It is in this light that we

ask that we should be provided with arms and taught their use.

"As the matter stands at present, when there is a warlike chief, we are told that he ought to go to school and learn reading and writing. The result is that the whole nation is being demartialized and enervated, and deprived of men who could or would stand by the Government in times of difficulty. Already the Government is complaining of a difficulty in recruiting for the Indian part of the army, and I fear that, unless they modify their present policy, that difficulty will increase—partly because they are by their existing system emasculating the more warlike tribes and partly because doubt is growing up as to serving as soldiers under a Government which treats its subjects with the distrust with which, judging from their policy in all these matters, they appear to regard us all. It will be a bad thing for India and a bad thing for Government if these obstacles to recruiting are allowed to develop further. It would lead to a state of things that I do not think we can permit to evolve without a protest such as this resolution embodies."

The resolution was adopted unanimously. A new delegate to the Congress from Calcutta, J. Chaudhari, who was editor of the *Weekly Notes,* writing many years later, said about Tilak: "Amongst the thousands of people assembled at the Congress, it was Tilak who made a profound impression on my mind. When he got up to speak, I saw a bright light beaming from his eyes which showed the fire of patriotism that burnt within his soul".

At subsequent Congresses, Tilak spoke only on the resolution touching upon rural economy. Supporting the demand of permanent settlement at the 1893 Congress, he said: "This is one of those resolutions which furnishes a complete answer to the charge brought against the Congress that it exists for the benefit of the educated classes of this country. We are not seeking to benefit that class, but the poor classes, and I shall point out that, coming as I do from Bombay, I do not plead for the zamindars but the ryots of Bombay. There the necessity of permanent settlement is keenly felt by all classes of the community".

At the Poona Congress (1895), he was more forceful in putting forward the demand for permanent settlement: "It has been conclusively shown that in a number of cases, the

assessment has been increased from two hundred to four hundred and in some cases to even seven hundred per cent. And it has been brought to the notice of Government that the enhancements are higher than the limitations set down in the resolution of the Secretary of State".

Tilak was now a man of the masses. Already in 1893, as we shall see in the next chapter, he had sown the seeds of a mass movement.

CHAPTER XIII

GANAPATI FESTIVAL

In the Presidency of Bombay, not only did the Hindus and Muslims live in perfect harmony, but the former enthusiastically took part in the annual Muslim festival of Moharram. Hindus rubbed shoulders with Muslims in the Moharram procession in which *tabuts*, or decorative structures representing the tombs of the martyrs at Kerbela, were carried for immersion in the river. But in 1893, a patch of dark cloud appeared on the serene sky of Bombay. There was bitter communal rioting in which many lives were lost, and many more sustained serious injuries. It was nothing surprising. Political ideas were rapidly travelling from one place to another and spreading in the distant parts of the country, and so were doing, as a corollary, the reactionary communal ideas.

This development gave rise to the revival of old religious festivals, under the leadership of Tilak. A brief account of communal politics in Northern India may be given here so that Tilak's activities, like the public celebration of Ganapati and Shivaji festivals, may be understood in their proper perspective.

After the fire had gone out of the Wahabi movement, which had organized Muslims to a man to abstain from co-operating with the British and to end the British rule by armed rebellion, and the British rulers too had realized that the best policy to deal with the Mohammedans was to reconcile them to the British rule rather than antagonise them, a significant change came over the Muslims in India generally. Formerly, every Muslim was looked upon as a rebel and had no access to Government service. There were exceptions but they only proved the rule. The new pro-Muslim policy was enunciated by Viceroy Mayo, and it had been marked by thrilling success until the British rule disappeared.

The suffering and privation that were the lot of the Muslims during the Wahabi movement seemed to have terrified them, and the subsequent teaching of their leaders alienated overwhelming sections of Muslims to Hindus and endeared them

to the British. The Wahabi mentality was finally buried, never to raise its head again, and the British rulers, in the eighties, were faced with another problem, though much less dangerous, and that was the Congress, which insisted year after year on political reforms. What added to their headache was that the Hindus and Muslims were united on the Congress platform in making this demand. The first discordant note, of course welcome to the British, came from the Aligarh Muslim College, from the mouth of its Principal, named Beck. "The Parliamentary system in India," Beck said, "is most unsuited and the experiment would prove futile if representative institution is introduced. The Muslims will be under the majority opinion of the Hindus, a thing which will be highly resented by Muslims, and which I am sure, they will not accept quietly."

Beck was hailed as a great well-wisher of Muslims, and his ideas found an echo in Sir Syed Ahmed Khan himself. In 1889, when Charles Bradlaugh took up in Parliament the question of introducing reforms in the Indian administration, Beck at once started mobilising Muslim public opinion against Bradlaugh's projected measure. Fortunately for Beck, just about that time some Hindus in the North had started an anti-cow slaughter agitation. He seized the opportunity and wrote in an article published in an English journal: "The past few years have witnessed the growth of two agitations in this country: one, the Indian National Congress, the other, the movement against cow-slaughter. The former is directed against the English, the latter against the Muslims. The object of the Congress is to transfer control of the country from the British to the Hindus. It demands the repeal of the Arms Act, reduction of military expenditure and the consequential weakening of the frontier defence. Musalmans can have no sympathy with these demands. In order to stop cow-slaughter, the Hindus have gone to the extent of boycotting the Muslims. . . . The result is to be seen in the sanguinary riots in Azamgarh and Bombay. It is imperative for the Muslims and the British to unite with a view to fighting these agitators and prevent the introduction of democratic form of Government unsuited as it is to the needs and genius of the country. We, therefore, advocate loyalty to the Government and Anglo-Muslim collaboration."

Contrary to this, Sir Syed Ahmed Khan would often tell

his followers that it was folly to offend their Hindu brethren by cow sacrifice; their friendship was more valuable than cow sacrifice. But on the issue of political reforms he was one with Beck. In spite of the efforts of these two, some Muslims continued to participate in the Congress, and once a *fatwa* was issued over the signatures of Muslim religious leaders of Ludhiana, Jullundur, Hoshiarpur, Kapurthala, Amritsar, Chhapra, Gujerat, Muzaffarnagar, Delhi, Rampur, Bareilly, Moradabad, etc. declaring that the Muslims were free to join the Congress. But Beck and Sir Syed were ever getting a greater hold on the Muslims. In order to mobilise Muslim public opinion against the anti-cow slaughter agitation, Beck proceeded to Delhi, with a batch of Muslim students, sat before the Jama mosque, and obtained 20,735 signatures on a petition praying to the British Parliament not to grant any reforms to India.

Honest Muslims were making efforts to counter his propaganda, and at the Congress session of 1890, a slashing reply was given by a Muslim delegate, Syed Sarfuddin, while speaking on the Reforms resolution. He said that the argument that Muslims were in a minority, and that their interests would be jeopardised by the introduction of an element of reform in the Indian administration had no relation with facts: "Look at the very city of Patna. There are 20 seats in the municipality, but in spite of the Hindus being in majority, they elected more Muslims. Out of 20, thirteen are Muslim commissioners. In Bombay, Hindus are in overwhelming majority, still five Parsis, three Europeans, two Hindus and two Muslims are members. In our country no inconvenience has arisen so far regarding the question of majority, and as such no majority question should arise."

Yet Dufferin's Reforms Committee proposed, in 1888, the principle of separate representation for Muslims. As Dr. B. R. Ambedkar says in his book, *Pakistan or the Partition of India*, "it is a mystery as to who was responsible for its introduction. The scheme of separate representation was not the result of any demand put forth by any organised Muslim association." According to the speech of Sir Mohammed Shafi, which he much later made in the Minorities Sub-Committee of the first Round Table Conference, the idea of separate representation originated with the Viceroy Dufferin himself. Again, as Raja Narendranath suggested at the same

place, the idea was to wean away the Musalmans from the Congress.

While quite a number of Muslims were still with the Congress, efforts were being constantly made by the establishment of purely Muslim organisations here and there and by exhorting them to join these organisations. At their meetings, they dubbed Hindus as agitators and inimical to the British and to the Muslims.

In January, 1892, according to the *Indian Spectator,* a large number of Muslims assembled in Poona to say that the Deccan was unfit for local self-government and that the interests of the Deccan Mohammedans would be best served by a return to the system of municipal government which existed before Lord Ripon's time.

In Maharashtra, Muslims and Englishmen—those who were opposed to constitutional reform—had a reasonable cause of grievance against Tilak, for here it was he who had been carrying on a campaign for reforms through his weeklies, though his writings were mild, moderate, and without any trace of bitterness.

The reforms proposal of 1892, enunciated by the British Government and enacted by Parliament, fell far short of Indian expectations. But curiously enough, their announcement was followed by a degree of communal tension. In 1893, the new reforms were introduced, and in the same year began Hindu-Muslim rioting. Much water has since flown under the bridge and India has crossed many a dangerous river and valley since then. It is now hardly profitable to dig out from the pages of that forgotten history which community was more responsible for rioting, but it is essential for the purpose of this chapter to have an idea of the kind of rioting Bombay witnessed.

The *Bombay City Gazetteer,* in recording the riot of 1893, says: "On the 11th August, 1893, a very serious Hindu-Mohammedan riot took place. Fears of an outbreak had been prevalent for a few weeks previously; and shortly after midday on the date mentioned, a large concourse of Mohammedans issued from the Jama Masjid and with shouts of *Din Din* commenced to attack a Hindu temple in Hanuman Lane. Within a very short time the whole of Parel, Kamattipura, Grant Road, Chinchpungli were given over to mob-law. The tumult was enormous. Not only did the Musalmans attack

all Hindus they met; but the latter retaliated and both sides rounded on the police. Sticks and stones were the only weapons employed by the rioters, but they were used in many instances with murderous effect. Little care was taken by the Mohammedans to limit their aim to the enemies of the faith, and passing tram-cars and conveyances were freely pelted irrespective of the race of the passengers. The crowds, raging from street to street, desecrated Hindu temples, broke the idols, and inflicted savage assaults on the Hindu population. The main cause of the outbreak was the infection spread by riots which had broken out in other parts of India."

The Bombay riots upset the communal equilibrium of Poona. Terror-stricken Hindus flocked to Tilak, arguing that they expected little protection from the Government, and imploring that, as the most fearless leader of Maharashtra, he should take up their cause. He remembered the attitude the police took in a Muslim-Parsi riot in Bombay about the end of 1873. When the Parsis, who had been beaten up by the Mohammedans, waited in a deputation on the Governor of Bombay, Sir Philip Wodehouse, he told them: "You Parsis ought to learn the lesson of defending yourselves and not depending wholly on Government." The Police Commissioner, Frank Souter, went a step further in insulting them: "Damn you Parsis; you have provoked the row. I would like to see all Parsis killed. I will remove the police force and will not help you."

But the Bombay Government told the truth in its confidential despatch to the Secretary of State for India, dated October 26, 1893, in which they referred to the Muslim-Parsi riot of 1873 also. The despatch said: "On both occasions, the first resort to violence must be laid to the door of the Mohammedan community, and on both occasions the scene of outbreak was the neighbourhood of the Jama Masjid. Your Lordship will observe that Mr. Vincent (the Commissioner of Police) lays the blame primarily at the door of the cow-protection societies in Bombay and elsewhere, while he admits that the religious riots in other parts of India, especially at Prabhas Patan, and the meetings held in Bombay by both communities in connection with these last were contributory causes. Mr. Vincent's opinion, in a matter of this kind, is of the highest value, but it is to be observed that while the cow-protection movement has undoubtedly been pushed of late with growing

vigour, the movement itself is not a new one. We hesitate to adopt the opinion that the cow-protection movement is the principal cause of these riots."

Tilak, as we shall presently see, believed that Mohammedans took to rioting because they were instigated to do so by a third party, and he therefore advised Hindus not to be inimical to Muslims. M. A. Jinnah, the greatest leader of the Muslim community, reached almost the same conclusion a quarter of a century later. In his evidence before the Joint Select Committee appointed by Parliament to examine the Government of India Reforms Bill, 1919, he said, referring to communal riots:

"If you ask me, very often these riots are based on some misunderstanding, and it is because the police have taken one side or the other. I know very well that in the Indian States you hardly ever hear of any Hindu-Mohammedan riots, and I do not mind telling the Committee, without mentioning the name, that I happened to ask one of the ruling princes, 'How do you account for this?' and he told me, 'As soon as there is some trouble we have invariably traced it to the police, the police taking one side or the other, and the only remedy we have found is that as soon as we come to know we remove that police officer from that place, and there is an end of it.' "

The Muslim-Hindu riot of 1893 left more poignant memories than the Muslim-Parsi riot of two decades before, because the Hindus were far more numerous and still suffered from a sense of insecurity. The question which set Tilak a-thinking was not why the Hindus did not hit back with equal ruthlessness, but that they had grown weak, were disorganised and therefore lacked the qualities of a sturdy nation. He took up in the columns of the *Kesari* the cause of their immediate grievances and blamed the British rather than the Muslims for encouraging the latter. He said that sensible Muslims neither participated in nor encouraged rioting. The riot had come and gone; what, however, was constantly exercising his mind was how to restore self-confidence in Hindus. For many, many years, the Hindus had participated in Mohurram festivals with great zeal. The Hindus used to contribute liberally to the Mohurram fund. But as the hot wind quickly dries up the sprinkled water, so did the Bombay riot dry up the fountain of affection from which had flown communal

good-will for a long time. They stopped taking interest in the *tabut* procession, and were now left without a public annual festival.

They had forgotten that during the Peshwa regime, they had, in the Ganesh or Ganapati celebrations, an annual festival which had assumed a national character. After the extinction of Hindu hegemony, it had died out as a public festival, but the family worship of Ganesh continued with the same zeal and devotion. To the fertile mind of Tilak the riots presented an ideal opportunity for reviving the Ganapati festival, as a means, first of consolidating the scattered ranks of the Hindu community, and secondly of arousing in them the spirit of nationalism. His ultimate objective always being to stir up the masses against the British rule, he placed his political propaganda under the special patronage of the most popular deity in India. "Tilak could not have devised a more popular move than when he set himself to organise annual festivals in honour of Ganesh, and to found in all the chief centres of the Deccan, Ganapati societies, each with its *mela* or choir recruited among his youthful bands of gymnasts."

After the fury of the Bombay riots had spent itself. Tilak and his associates set up five public Ganapati statues in Poona. Collections were raised for public celebrations of the festival. In front of the different public Ganapatis, public meetings were organised at which Tilak and his followers gave lectures. He wrote articles in the *Kesari* exhorting the people to participate in the national festival and compared it with the Olympian and Pythian festivals of Greece. He called on the intellectuals to take part in it and not to stand aside and scoff as some members of the social reform school did, but rather to seize the occasion to get out among the people. "Through this nationalist appeal, the worship of Ganapati spread from the confines of the family circle into the public square. This transition is noteworthy, since (despite some exceptions) Hindu religious worship is largely a matter of individual or family worship. Congregational worship as that in Christianity or Islam is not common. But nationalist feeling provided the necessary social cement in this case." The Ganapati was prescribed to be a ten-day festival, and during this period those thousands upon thousands who participated in it developed a sense of solidarity under the aegis and protection of the god Ganapati.

The *Kesari* of September 26, 1893, gave this account of the first year's celebrations: "This year the ceremony of carrying the Ganapati to the river for immersion was celebrated in a manner different from that of the past years, and it assumed a public form in a large measure." The paper then said: "The Hindus of all sects worship Ganapati, and if the ceremony of conducting the god to the water-places became public, it would be a recreation without trouble and would help achieve harmony amongst various sections of the Hindu community."

Next year, the organisers had enough time and put up a grand show at Poona. There were hundreds of bands singing songs to the accompaniment of musical instruments. The caustic dramatic dialogues in between the songs, though seemingly religious, had a subtle mixture of current politics. Apparently it was all gaiety and entertainment, but the songs and lectures left an impression on the minds of the people which lasted and which Tilak desired to last. Music bands and processions were considered by some serious-minded people as superficial and as unbecoming a religious festival. To them Tilak said: "Religious thought and devotion may be possible even in solitude, yet demonstration and eclat are essential to the awakening of the masses."

The last day of the ten-day festival is called Anant-Chaturdashi. On this day the images are immersed in water. In 1894, as the day of Anant-Chaturdashi was drawing near, gigantic preparations began everywhere, the various organisers of the bands and processions vying with each other in an attempt to put up the best show. The city celebrations were flooded by the merger into them of the Ganapatis from the adjoining villages. Ganapati was to be seen wherever the eye was cast. Gathered on the open roofs crowds of women gave a hearty send-off to Ganapati and prayed for his early return next year.

But when the happy ending of the festival was just near at hand, it was marred by an untoward incident. On the eve of the last day, while a band of young boys was going past a mosque singing songs in honour of the deity, some Muslims appeared on the road. There was a scuffle between them and the boys, which soon developed into a full-fledged communal riot.

This unfortunate incident gave Tilak's Hindu opponents

and some Muslims an opportunity to dub the Ganapati festival as undesirable especially because it offended the Muslims. Another objection raised was that Tilak got the inspiration from the Muslim festival, and that public celebrations were against the Hindu traditions. Tilak's reply to them was: "Those who say that the procession of Ganapati is an imitation of the *tabuts* of Muslims have not seen the Bhajan clubs on the occasion of the Ekadashi day in the months of Ashadh and Kartik. The playing of Lezim, the beating of large drums and such other things are observed in every fair. For the last two or three hundred years, some of us, even though professing the Hindu faith, used to make vows to Muslim gods or heroes during the Mohurram. It was because we saw God in all beings. But Muslims, forgetting our long-standing friendship, played into the hands of undesirable people and began a regular campaign of harassing religious mendicants of Hindu faith unnecessarily. This inevitably led to estrangement."

There may be a difference of opinion about the time Tilak chose for starting Ganapati festival, but the immense political and social good that resulted from the festival cannot be denied when the whole affair is history in cold print. Hindus were divided into numerous castes and sub-castes. The Ganapati festival brought them together, and they began to feel that they were component parts of one whole—the Hindu community. The rational mind of Tilak saw no objection in any efforts which led to the consummation of this result; there was absolutely nothing in it, even if it was an imitation of *tabut*, which should offend the Muslims. He, therefore, never allowed his zeal for expanding the Ganapati activities to be damped by criticism. His mind was fixed upon the ultimate objective; and it was a miracle that in a few years he filled the mass of the Maharashtrian people with a national and patriotic fervour which that land had not known for centuries.

In two years, the Ganapati grew into a grand national festival with Muslims rubbing shoulders with Hindus in its celebration in several towns. According to a report published in a Muslim weekly of Bombay, *Rast Goftar*, the celebrations at Sholapur (1896) "exceeded in eclat and enthusiasm anything of the kind that was witnessed in preceding years, and the most noticeable feature was that local Mohammedans freely mixed with the Hindus in doing honour to Ganapati."

At Nasik, both Hindus and Muslims carried the Ganapati for immersion, the man leading the procession being a Muslim. But at two places, the police itself caused some communal difference, though that did not result in any unhappy incident. At Nimbagaon (Poona district), Muslims were indifferent and some of them concurred with the Ganapati celebration, but the chowkidar aroused in them a sense of 'right' by imposing a ban on music accompanying the procession. In another village, Talegaon, the superintendent of police, who had been given extra powers by the district magistrate, showed a similar zeal and disturbed the cordial relations between the two communities.

Poona was again the nerve-centre of the new spirit. Men from the villages and distant places, even from Gujerat, flocked to the city on the occasion. Lectures delivered at the function —a judicious mixture of religion and politics—drew a vast concourse. As the *Mahratta* said in its report of the function, "the audience did not mainly consist of the much-hated Poona Brahmans, but also of the lower classes, and many a patriot must have been exceedingly gratified to behold the proud Poona Brahman sitting shoulder to shoulder with the fruit-seller and the toil-worn peasant in the very front of the rostrum."

The rest of the *Mahratta* report is more significant: "The authorities have grown suspicious that the Ganapati bands have within them the seeds of disloyalty and future trouble. The authorities must take the people into their confidence and guide the movement instead of throwing unnecessary and foolish obstacles in the way. It is no doubt the duty of the police to prevent sedition or breach of peace; but any official interference with the bands is surely illegal and deserves to be condemned."

Several journals of Maharashtra had created strong suspicion in the minds of the authorities that many aspects of the festival were not so innocuous as the organisers wished them to believe. In the weekly *Prabhakar* (July 31, 1896), someone, writing over the pseudonym of "A True Brahman", suggested that the Ganapati celebrations should be utilized for political purposes by delivering such lectures as would "enlighten our less favoured countrymen upon their present political condition". The *Indian Spectator* (September 13, 1896) actually said that the songs that "are being composed every day have

in them a strong undercurrent of politics; they are means of spreading political knowledge amongst the masses."

As the celebrations grew in volume and spread all over the Maratha land, the authorities grew more suspicious. Ganapati was adopted as a patron god by the schoolboys and college students, and was closely connected with the nationalist movement. The legend of that god slaying the demon Gajasura was interpreted by the worshippers as being the deliverance of the people from their national oppressors. The students, who were drawn to the movement, were soon organised into athletic clubs. One of these developed into a well-known political organisation — the Abhinav Bharat (Young India) —which produced several revolutionary leaders like V. D. Savarkar. In course of time hundreds of organisations were formed at different places in Maharashtra and even beyond its borders. By 1905, there were 72 towns, besides Poona, which regularly celebrated the festival with all its political and social accompaniments. These included Madras, Jodhpur, Jaipur, Mathura, Banaras, Dwarka, Karachi and Calcutta. Having been raised to the status of a national festival, it was celebrated by Indians in such distant lands as Quetta, Aden, Nairobi.

Tilak was the first political leader to utilise the medium of religion for political propaganda; and in the first few decades of the twentieth century, it became the common medium of revolutionary leaders and organisations. During Tilak's long incarceration (1908-14) and after his death, the Ganesh continued to be and is still the most popular festival in Maharashtra. For a quarter of a century after his earthly existence had come to an end, Tilak's memory was invoked on the occasion of the festival to enthuse young men for national emancipation.

CHAPTER XIV

THE ORION

IN 1889, when, surprisingly enough, Tilak was in the midst of a heated controversy with his colleagues of the Deccan Education Society, an idea flashed across his mind—the idea which, four years later, created a sensation in the literary world and left eminent orientalists breathless. One day, as he was reading the Bhagwad-Gita, it occurred to him that important conclusions might be derived from the statement of Krishna that "he was Margashirsha of the months". This led him to inquire into the primitive Vedic calendar; for four years he laboured on his researches into the antiquity of the Vedas. His approach was marvellously new. "All our measurements of time are directly based upon the changes in the positions of heavenly bodies. They are, therefore, the best measurements of time for determining the periods of antiquity, only if we have reliable records about the position of heavenly bodies in the early days." Tilak's task was to determine the position of heavenly bodies at the time when the hymns of the Rig Veda, at any rate those which have a reference to the word *Agrayana* or *Agrahayana*, were composed, and then to calculate the time. His finding was that these latter hymns must have been composed at a time when the year began with the Sun in the constellation of Orion or Margashirsha, i.e., before 4,000 B.C.

Max Muller had earlier put the period at about 1,200 B.C. His method was different and was, according to Tilak, open to question. Max Muller divided the Vedic literature into four periods—Chhanda, Mantra, Brahmana, and Sutra. The last, or the Sutra period, was prior, "if not to the origin, at least to the spreading and political ascendancy of Buddhism" in the fourth century before Christ. And as each other period presupposes the preceding, Max Muller, by assigning two hundred years for each period arrived at about 1,200 B.C. as the latest date at which the Vedic hymns might be supposed to have been composed. But another scholar, Dr. Haug, following the same method, fixed the very commencement of the Vedic literature between 2,400 and 2,000 B.C. by assigning

about 500 years to each period, on the analogy of similar periods in the Chinese literature. Tilak regarded this method "of calculation, however valuable it may be in checking the results arrived at by other methods", as "most vague and uncertain, when taken by itself". His reasons were: "There are different opinions as to the division of the Vedic literature; some scholars holding that the Chhanda and Mantra are one period, though a long one. But granting that the Vedic literature admits of a four-fold division, the question of the duration of each period is still involved in uncertainty, and considering the fact that each period might run into and overlap the other to a certain extent, it becomes extremely difficult to assign even the minimum chronological limits to the different periods. The method may, indeed, be used with advantage to show that the Vedas could not have been composed later than a certain period; but it helps little in even approximately fixing the correct age of the Vedas. Prof. Max Muller himself admits that the limit of 200 years can be assigned to each period only under the supposition that during the early periods of history the growth of human mind was more luxuriant than in later times".

Tilak conceded that a further study of the different periods of the Vedic literature and its comparison with other ancient literatures "might hereafter help us to ascertain the duration of each period a little more accurately." But he thought that by this method alone, the correct age of the Vedas could not be fixed with any approach to certainty. If Max Muller considered 200 years to be the minimum duration of each period, and Haug and Wilson thought that a period of 500 years was not long for the purpose, then, he argued, another scholar might extend the duration of each period to something like 1,000 years. The last probability might, therefore, lead to 4,000 B.C. But again the suggestion would not have solid ground to stand on. "In the face of this uncertainty", says Tilak, "we must try to find out other means for ascertaining the correct age of the Vedas." The other known method was astronomical, which had been tried by several scholars, without success. The failure was attributable to want of correct interpretation of some astronomical allusions in the Vedic words. Further researches were called for; they involved immense labour, study and concentration, and Tilak took up the work, and carried it on when he was passing

through one of the stormy periods of his life—his indictment by the Deccan Education Society, the Kolhapur defamation case which resulted in his imprisonment, agitation in connection with the Crawford case and the Age of Consent Bill. During this period, he had also taken to politics, the Bombay Provincial Conferences and the Congress taking up much of his time.

Tilak's discussions, as we shall see, are marked by a very liberal spirit. "He does not accept everything established; nor does he slavishly adhere to authorities, Eastern or Western, in the interpretation of ancient texts." On the basis of astronomical calculations, he reached the conclusion that the traditions recorded in the Rig Veda "unmistakably point to a period when the vernal equinox was in Orion, or, in other words, when the Dog-star (or the Dog as we have it in the Rig Veda) commenced the equinoctial year." Many of the Vedic texts and legends, quoted in support of this conclusion, have been rationally and intelligently explained for the first time—they have also been cited in this context for the first time.

While it was comparatively less difficult to arrive at the conclusion that the traditions recorded in the Rig Veda point to a period when the Dog-star commenced the equinoctial year or that the hymns which have a reference to Agrayana were composed at a time when the year began with the Sun in the constellation of Orion, what presented the real difficulty was how to calculate the number of years that have rolled by from that time till the present age. What was the nature of the calendar? When did the year begin and when did it end? Says Tilak: "Unfortunately for us, all the Sanskrit astronomical works that we now possess, except perhaps the *Vedang Jyotisha,* belong to the later period of Sanskrit literature, when the Greek influence is perceptible in all its mathematical works. The different methods of astronomical calculations given in these works, the various eras that were established in India after Shalivahana or Vikrama, the introduction of the Barhaspatya cycle, and the adoption of the Greek division of the Zodiac, make it extremely difficult to correctly interpret the astronomical references in the later works; while the confusion, caused by the supposed absence of any definite statement as to the character of the year and the cycle mentioned in the Vedic works, renders it a hard task to deduce a consistent theory out of the various but stray references to

astronomical facts in the Vedic literature. Take for instance the question of the commencement of the year in the Vedic calendar. There are grounds to hold that the ancient Aryans commenced their year either with spring or with autumn, at the equinoxes or at the solstices; while the later astronomical works and systems furnish us with facts which go to prove that the year, in the different parts of India, commenced with almost all the different months of the year. The discussion as to the number of the Nakshatras and different opinions as to their origin have further complicated the problem".

Tilak solved this problem by reference to Vedic sacrifices. "It is difficult," he says, "to determine the exact nature of the calendar, but a study of the sacrificial literature would show that the phases of the moon, the changes in the seasons, and the southern and northern courses of the sun were the principal landmarks in the measurement of time in these early days. What is still more interesting, however, is that the leading features in the early sacrifices are the same as those in the year. The late Dr. Haug, in his introduction to the Aitareya Brahmana, has observed that 'the *satras,* which lasted for one year, were nothing but an imitation of the sun's yearly course. They were divided into two distinct parts, each consisting of six months of 30 days each. In the midst of both was the Vishuvan, i.e., the equator or the central day, cutting the whole *satra* into two halves.' This clearly shows that the ancient Rishis prepared their calendar mainly for sacrificial purposes, and the performance of various sacrifices facilitated in its turn the keeping up of the calendar. Offerings were made every morning and evening, on every new and full moon, and at the commencement of every season and *ayana.* When this course of sacrifices was thus completed, it was naturally found that the year also had run its course, and the sacrifice and the year, therefore seem to have become synonymous terms. There are many passages in the Brahmanas and Sanhitas, where Samvatsara and Yajna are declared to be convertible terms, and no other theory has yet been suggested on which this may be accounted for. I am, therefore, inclined to believe that the Vedic Rishis kept up their calendar by performing the corresponding round of sacrifices on the sacred fire that constantly burnt in their houses, like the fire of the Parsi priest in modern times." This was the year.

Then, Tilak measures the length of time which must have

elapsed since the hymns referred to above were written. Putting various passages (from the Rig Veda) together, he finds that in the Rig Veda, "dogs are described as dark and brown, bright and red, possessing four eyes, guarding the house and the way to Yama's region, vomitting and making milk, above all beginning the new year. All these facts clearly show that the Vedic dogs are the same as the Hellenic or the Iranian, and we can easily and satisfactorily account for all these legends by supposing that the vernal equinox was near the Dog-star in those days, thus making the dog rise with the sun in the beginning of the year at the gates of the Devayana."

What was this four-eyed dog? Tilak, explaining it, says: "If they are correctly identified with Canis near the Milky Way, then the four stars in the body of Canis might naturally be said to be his eyes". The mention of the four-eyed dog in the Hindu and the Greek literatures establishes the fact that the period of which the date is to be ascertained was the period before the Greeks separated from the Hindus. Then, Tilak produces a mass of evidence from ancient literatures, to prove that at the time the vernal equinox was in Orion, or the Dog-star, commenced the equinoctial year. An astronomical calculation, with these premises as basis, gives 4,000 B.C. as the approximate time when the Rig Veda was written.

Tilak, however, did not claim that his answer to the question—'Can we or can we not ascertain the age of the Vedas?'—was the last word. He says: "I have ventured to write on the subject. I cannot claim to have finally solved this important problem in all its bearings."

His essay, entitled The Orion or Researches into the Antiquity of the Vedas, was originally written for the Ninth Oriental Congress held in London in 1892. But it was found too large to be inserted in the proceedings wherein its summary alone was included. Next year, he published it in the form of a book, with the same title, incorporating into it such additions, alterations and modifications, as were suggested by further thought and discussion. The book was sent to the world's eminent orientalists, who in a short time expressed their admiration. Scholars like Max Muller, Weber, Jacobi, Whitney, acknowledged the learning and originality of the author. Whitney, a short time before his death in 1894, wrote

an article in the Journal of the American Oriental Society, in which he highly eulogised Tilak's theories. Similarly Dr. Bloomfield of John Hopkins University showered high praise on Tilak. He said: "I was first impressed with something leonine in the way in which the author controlled the Vedic literature and the Occidental works on the same; my superficial reading was soon replaced by absorbed study and finally having been prepared to scoff mildly, I confess that the author had convinced me in all the essential points. The book is unquestionably the literary sensation of the year just before us; history, the chronic readjuster, shall have her hands uncommonly full to assimilate the results of Tilak's discovery and arrange her paraphernalia in the new perspective."

CHAPTER XV

A FRIEND INDEED

ONE of the dearest friends of Tilak at the College was V. S. Bapat. On account of adverse domestic circumstances Bapat had to say good-bye to the College in the mid-session and take service in Baroda State, where he became involved in state intrigues. Early in 1894, he found himself completely entrapped, and was suspended from service. It was said that Bapat's alliance with the Gaekwad Sayajirao who, at that time, was not in the good books of the British Resident, brought on him this misfortune. This belief was confirmed by the fact that Bapat was suspended when the Gaekwad was away in England. Some, however, said that Bapat, though an able and efficient officer, was not honest and that a punishment was overdue. Whatever may have been the truth, Bapat was suspended for corruption, and charges were framed against him. He was in a distressed state of mind, particularly because in a 'native' state a fair trial was not possible, especially when high authorities like the Dewan, the Settlement Commissioner and the British Resident were all against the accused. A commission was appointed to investigate the charges, and Bapat was at his wit's end; there was none in the state whose help he could seek. He thought of Tilak, contacted him and got the assurance of all possible help. For twelve months, Tilak threw himself heart and soul into the Bapat case, and made fullest use of his legal acumen to prepare the defence.

Bapat was in immediate danger of being thrown into jail, and the first thing Tilak did on hearing that his friend was in distress was to send one V. G. Joshi to Baroda, with the instruction that he should arrange to remove Bapat from Baroda as soon as possible. Bapat was being constantly shadowed by the police, and it was no easy task for Joshi to spirit him away. A way was, however, found. Joshi made it known that he was returning to Poona by the Gujerat Mail on June 18, and Bapat accompanied him to the railway station ostensibly to see him off. A few men of the secret police were present at the station. As soon as the train was in motion,

Bapat gave the slip to the watch-dogs and leapt into the compartment. Little did the policemen know that a plan had been prepared to dodge them. Bapat was out of their hands, and they could not arrest him in the British territory.

After Bapat's disappearance from Baroda, the suspicion against him naturally deepened. A date was fixed for his trial, and it was decided that the case should be proceeded with even in his absence. The plan of Bapat's friends was circumvented. They did not expect that the trial would be so quickly ordered; the question now was what the next step should be. Absence from trial was apparently more harmful for, in that case, the verdict would in all probability go against the accused. The State authorities had engaged eminent barristers like Pherozeshah Mehta and Branson, who were to be assisted by a host of junior lawyers. The case must be won, and money was no consideration—that was the attitude of the Darbar.

Ultimately, it was considered wiser to face the case and take the consequences. Two High Court pleaders were engaged, but they were no match to the legal luminaries pitted against them. Tilak, therefore, took upon himself the responsibility of preparing the defence with the help of the two pleaders. He proceeded with the party to Baroda and, when Bapat made his appearance in the state, his adversaries, who had hoped for an easy victory, were disappointed.

Tilak's profession and politics required his constant attendance at Poona. His weeklies and law-classes were necessary for his existence; the latter was the only means of his livelihood. But Bapat was face to face with a situation which might not only deprive him of his job and reputation but also land him in jail. Whatever his personal loss, Tilak took leave of the papers and the law-classes for a few months and opened the Bapat defence office in Baroda. To the people of Baroda, Bapat was a discredited man because he had courted displeasure of the Darbar, and most people were unwilling to let out a house for the defence office. It was with great difficulty that a house was secured.

Tilak was Bapat's counsel and clerk; there was not enough money to hire the services of copyists and clerks, and Tilak volunteered to do the entire work himself. The case was being heard from day to day, and Tilak's day started early in the morning with the examination of the relative papers, the

afternoon was spent in the court, and in the evening he sat down to prepare memoranda of the court proceedings and worked on them late into the night. He scrutinized the account books of certain prosecution witnesses, prepared a cross-examination, and eventually succeeded in proving that the accounts produced were all cooked up. Bapat's defence ran into 200 foolscap pages, and they were the sum total of Tilak's arduous work from day to day.

The Bapat trial dragged on for about a year, and for nearly the whole of this period, Tilak had to be away from his own work. He, however, continued writing for the *Kesari* from Baroda. The Barristers on the opposite side were staggered at the amount of work Tilak voluntarily did for Bapat.

The commission trying the case, however, found Bapat guilty and sentenced him to six months' imprisonment and a fine of Rs. 10,000. In the mean time, the Maharaja returned from England, took his own legal advice and gave a verdict acquitting Bapat, who was pensioned off.

Tilak's selfless work for Bapat deepened the Gaekwad's regard for him, and this fact led many to believe, in later years, that the Maharaja had made him a present of a plot of land. The belief turned out to be false. The land was purchased by Tilak for Rs. 15,000, and on it he built himself a house.

Tilak believed Bapat to be innocent, and lest his absence, even for a brief period, should injure the interests of the friend, he did not attend even the Congress session that year. Bapat did not live long after the bribery case and, after his death, Tilak took charge of Bapat's son and helped him settle down in life.

CHAPTER XVI

SHIVAJI FESTIVAL

EARLY in 1895, a chance article in the weekly *Native Opinion* called attention to the forgotten tomb of Shivaji and suggested to Tilak's fertile brain a magnificent opportunity for inaugurating another popular movement. The writer of the article said that he had recently seen the deplorable condition of the "shrine of Maharaja Shivaji at Raigarh". This aroused Tilak's national pride, and the next week, in an article in *Kesari* (April 23), he chided himself and the inhabitants of Maharashtra, particularly the sirdars born in the family of the Maratha hero, for letting the tomb fall into decay. In this connection, he recalled the patriotic poem of one P. B. Joshi, which the poet had published in 1885 and which described, in highly emotional language, the neglected condition of Shivaji's tomb and for a while revived the respect of the people for the memory of Shivaji. No amount of propaganda could produce the effect that this poem did; for soon after its publication, a public meeting was called at Poona and it was decided to ask for necessary repairs to be carried out. Justice Telang was at the time in the Legislative Council, and the Government, at his instance, agreed to defray the entire expenses of repairs, especially since the fort of Raigarh was situated in the reserved forest of Government. But the sentiments of hero worship were so powerfully aroused that people felt that they would fail in their duty unless they did something themselves. A proposal was made to bring the remains of Shivaji from the Raigarh fort to Poona and to raise a suitable monument over them. But this the Government would by no means allow.

There were other inspiratory things also, but they were all climaxed by Joshi's poem. Ranade's *Rise of the Maratha Empire* recalled the proud history of the country in which the ancestors of the Marathas had played a prominent part. In a book entitled *Sources of Marathi History*, it was confidently stated that the state of the Deccan under the Peshwas was far superior to its condition under British rule. Several new books in Marathi appeared and revived memories of Shivaji.

Although the intelligentsia had never ceased to regret the fallen glories of the Peshwa rule, the task of the new historic literature was to tell the common people that they had, not long ago, full-fledged Swaraj in India and that they were unfree now.

Some British historians also contributed to the development of a sense of urgency about repairs to Shivaji's tomb. Wrote Douglas in his book, *Bombay and Western India*: "The tomb of the Maharaja is on the yonder hill. Its interior is covered over with trees and shrubs; large trees have grown out of the stone pavings of its caravansaries; the temple in the vicinity is in a wretched plight and the image therein has been thrown on the ground." He further added, "Nobody now cares for Shivaji; not one rupee is spent on the annual repairs of the tomb of Shivaji Maharaj who was master of an enormous kingdom."

But human nature being what it is, noble sentiments disappeared quite as quickly as they appeared, and after the Government had carried out repairs to the tomb and made an annual allotment for them of Rs. 5, little was ever heard about it for ten years. Now Maharashtra had a dynamic leader in Tilak, and after reading the article in the *Native Opinion*, he feelingly said: "A good many days have elapsed since we heard Joshi's verse—*'Do resound the name of Shivaji'*. Alas! no one is now acting on his advice." The slur was on himself as much as on others, and he made a start towards discharging the duty so long neglected with an article in the *Kesari*, in which he said:

"Maharaja Shivaji's tomb is in the fort of Raigarh, ten miles from Mahad in the Colaba district. It was in that fort that the Maharaja was crowned in 1674. And in this very fort his dead body was interred after the campaign of Jalna. This is that self-same shrine. It is useless to blame the Government for neglecting the shrine. It is the business of the people of Maharashtra to avail themselves of the opportunity to vindicate the name of Shivaji. It would be highly creditable to those generous and grateful descendants of the Maharaja who opened their purses for contributing to the fund in memory of the insignifiant Lord Harris if they renovated the shrine of Shivaji." The article then asked the people of Maharashtra to give up their lassitude, hold public meetings and collect funds.

The *Kesari* itself established a fund and told its readers:

"It is a fine specimen of Mahratta patriotism that meagre subscriptions of an anna or two should be offered for repairing the tomb of such a great warrior as Shivaji. If a single Sardar or Jagirdar or Chief in the Deccan wished to incur the whole cost, he could easily do it and at the same time make the necessary arrangements to keep the tomb in good order. But the Sardars and Chiefs know that they are not likely to be benefited by Shivaji as he is dead and gone."

The exhortation had a lightning effect, and once again, as in 1885, great interest was aroused. The first contribution to reach the office of the *Kesari* was a two-anna piece from a student. The paper commended the student's "spirit to work for Swarajya", and asked others to emulate it. The cause was now taken up by almost all the Indian-owned papers. Articles were published on Shivaji's life and achievements and asked the Maharatta descendants to show their gratitude and reverence to their hero. The *Hind Panch* (May 26, 1895) also published a timely cartoon entitled "Mahratta Patriotism—Applying the Galvanic Battery".

For two months intensive propaganda was carried on throughout Maharashtra. It culminated on May 30 in a public meeting at Poona. It was a grand meeting. In the opinion of the *Sudharak,* a weekly, antagonistic to Tilak, "never in the annals of the historic city of Poona was there ever seen, since the advent of the British rule, the like of it". And another weekly, *Indu Prakash,* said: "No surer sign of raising of a national spirit can be given than the meeting held at Poona to take measures to commemorate fittingly the name of Shivaji."

The genius of Tilak contrived to make even the ruling chiefs and jagirdars interested in the Shivaji movement. He told them that they had nothing to fear from it since the Government itself once carried out repairs to the tomb, and earmarked a small amount for annual repairs, that English writers showered praises on the Maratha hero, and that many of them (jagirdars) owed their possessions to Shivaji. Therefore not only common men flocked to the meeting in their thousands, but many of the chiefs and sardars of Deccan attended it. Chairs were arranged for them at the raised platform according to their ranks. Such an assembly of aristocracy was to be seen only at the British Agent's Darbar, for the Indian chiefs never in a body mixed with people of lower ranks. The

meeting was presided over, at the suggestion of Tilak, by the ruler of Aundh.

A committee of 50, with people of all ranks and with Tilak as one of the secretaries, was appointed. On a question being raised whether the committee was to be representative of all castes and religions, Tilak explained that it was not a racial question in any sense of the term, that they were assembled there to do honour to a historic personage, and that any one who had admiration and esteem for the Mahratta hero was at liberty to subscribe to and qualify himself to be a member of the committee. He further remarked that there were several Mohammedan Inamdars in the Deccan who owed their inams to Shivaji and who were equally bound with the Hindu Inamdars to keep up the memory of their benefactor.

The meeting passed a resolution to the effect that a fund should be collected "for the purpose of making proper repairs to the tomb and of building a temple according to the deserts of Chhatrapati Maharaj and for the purpose of making such arrangements as would secure a permanent establishment and periodical celebrations so as to preserve the grateful memory of the favours of Shri Shivaji Chhatrapati Maharaj for all times."

Handbills containing a programme of work, with Tilak's signature on each one of them, were distributed at the meeting and in the city by two of Tilak's close followers. They put on clothes of light red colour which was the colour of Shivaji's standard.

Again, in December, in order to take advantage of the presence of the leading men of India at the Poona Congress, a grand demonstration of the Shivaji movement was held. At the request of Tilak, Surendranath Bannerjea, the Congress President, agreed to address the public meeting which was attended by 15,000 people. The proceedings were opened by Tilak. In a short speech he gave an account of the progress made since the movement was started in May. He said that within six months Rs. 15,000 had been collected in small subscriptions. The purpose of the meeting, therefore, was not to raise money, but to obtain the sympathy of Indians from other parts. Bannerjea was deeply impressed by the spirit of nationalism that was rapidly rising in the land of Maharashtra and told the audience: "My first feeling is one of intense admiration for those gentlemen who have organised this vast,

this enthusiastic, this unparalleled demonstration in favour of Shivaji movement. The reflection which at the present moment at the sight of this imposing demonstration occurs to my mind is this—what may not be expected from the organisers of a movement like this in the cause of national advancement and progress? We are all—I think I may say the members of the National Congress are all—in strict sympathy with this movement, the object of which is to commemorate the memory of the greatest Hindu hero of modern times and the founder of the mightiest Hindu Empire in these latter days." Then, exhorting the audience, he said: "Gentlemen, standing face to face in the presence of that picture in which Shivaji is represented as marching from his fort, may we not desire a similar inspiration, may we not imbibe from him a similar ardour to march forward in the constitutional battle which has for its object the political emancipation of our people? This Shivaji movement calls forth the sympathy of the entire country."

Speaking after him, Madan Mohan Malaviya said: "Shivaji invaded dominions of other monarchs because their ruling powers were not satisfactorily and effectively used. There was no question of wresting power in a hostile spirit. The people were not efficiently governed by those rulers, and Shivaji gave them peace and order. Is it not sufficient to consider that this fact entitles him to your deepest and undying gratitude? If he were an Englishman, his memory would have been cherished and festivals celebrated in his honour year after year. The great Shivaji should not be forgotten; his memory should be cherished." Leaders from other parts of the country gave expression to similar sentiments, and Tilak was happy that he had succeeded in popularising the Shivaji festival as a truly national movement.

The whole of Maharashtra was now throbbing with energy; an unprecedented wave of nationalism was surging in its veins. Never after Shivaji was this land so solidly behind one leader. Once again, as during Shivaji's time, there was to be seen the same zeal, the same oneness of purpose, the same ambition; that is, the country could no more brook bad rule and foreign domination. Shivaji was their rallying point, and Tilak their preceptor.

In 1896, the Shivaji movement made remarkable progress. A public festival in commemoration of the birthday of the hero

was celebrated right at the top of the Raigarh Fort, on April 15. The fort, situated on a steep eminence, was not easily accessible. There were no buildings on the top, but bare foundations and walls, relics of magnificent palaces of old. The task of holding a big festival at such an out-of-the-way place was by no means an easy one. But Tilak wanted to test the measure of patriotism of his people, and chose that place which in itself was an object of great inspiration. Being part of a reserved forest, a meeting could not be held there without the permission of the divisional forest officer. This was sought and readily given. But when intimation was sent to the mamlatdar of Mahad, who was the immediate revenue officer of the territory, the district magistrate raised an objection to the function being held at all. He interpreted certain words and expressions of the letter and the programme of the celebration committee as suggesting that a new fair was intended to be established, and therefore held that under Act IV of 1862, no new fair could be started without the express permission of the district magistrate, which, he ordered, should be applied for in time so as to enable him to give six weeks notice to the public. The committee did not agree with the interpretation and preferred an appeal to the Governor who cancelled the order on the ground that commemoration gatherings did not come within the scope of the Act.

A day before the celebrations, Tilak again sent a stern reminder to the people through the *Kesari*: "Should we not hang down our heads in shame that a foreigner should come and tell us about our duty to Shivaji? Let bygones be bygones. The only consolation is that the Maratha people are now wide awake and discharging their debt." He appealed to the learned, the labourers, the field workers, public speakers, swordsmen, fencers, horse-riders, gymnasts, and men of all professions and callings to go to Raigarh and do their duty by their hero and by their nation.

On April 15, just at the appointed hour (10-30 A.M.), the function began with *keertan* over which a learned Brahman, Vinayakshastri, presided. All restrictions of caste and creed, so common in the Hindu society, were set aside, and everybody was free to participate in it. Then, as the hour of the birth of the great Maratha Chief arrived, the assembly showered *gulal* (red pigment) in great glee and made the whole place resound with shouts of "Victory to Shivaji Maharaj!"

Over 6,000 persons from various places in Maharashtra gathered at the fort. This was big number considering the fact that only those with sturdy physique could negotiate the steep ascent. Among these were people from all walks of life and of all denominations. There were the ill-clad Mavalas too, descendants of the brave and trusted followers of Shivaji, who had turned out to pay tribute to the glorious leader of their forbears.

That night a procession, interspersed with torch bearers, with portraits of Shivaji and his inspired preceptor Ram Das, was taken out with great pomp and awe, and with drum-beaters and musicians walking in front of and behind it. The portrait of Shivaji, in which he was represented as sitting on horse-back, was installed in a large *pandal*, and before it his admirers paid court. The proceedings here formally commenced with a short speech by Tilak in which he congratulated all assembled there on their "laudable desire to pay fitting homage to the great Shivaji." A trained band of singers, which was specially imported from Poona, regaled the company with their melodious and stirring songs. The Mavalas and Marathas were given food gratis. A crowded programme was gone through according to schedule as drawn by Tilak himself. The proceedings terminated as they began with a speech by Tilak in which he assured his audience that there was not the slightest taint of sedition or disloyalty in boldly coming forward to do honour to Shivaji's memory, but that on the contrary such demonstrations in honour of a national hero were calculated to win the approval and sympathy of their enlightened rulers.

As the papers giving an account of the festival said, "it was the most glorious and successful function that was ever held at the Raigarh Fort. Probably since the coronation of Shivaji which was held over 250 years ago, there had been no function similar to the one held this year."

Tilak was not yet sowing seeds of political unrest, and knew that time was not ripe to antagonise the Government. As a master strategist, he wanted to prepare the nation for an all-out attack on the foreign rule with the help of the Government, wherever that help was available and even if it had to be asked for. As a shrewd lawyer, he adopted and fostered an anti-Government attitude to the farthest limit permissible under liberal interpretation of the law. When he was informed that Government officers looked askance on the Shivaji move-

ment and that there were people who were, for this reason, afraid to associate themselves with it, he said: "The best answer that we can give such people is that His Excellency the Governor was good enough to give his sanction to the Raigarh celebrations. Besides an enlightened Government like the British will certainly not object to our seeking our own good in any rational way we like." It was several years later—as appears from a letter the Bombay Government wrote to the Secretary of State after Tilak's conviction in 1908—that Government realized that his movements were not purely religious or sentimental. In the letter the Governor said: "In 1895, following up his policy of enlisting religious feeling in the cause of revolution, Tilak inaugurated the Ganpati celebrations, which have since annually been made the occasion of demonstrations against the British Government. About the same time the cult of Shivaji was introduced, and though Tilak at first denied any intention of using it for the subversion of British rule, it has become, as it was doubtless intended to become, an incitement to the expulsion of the English rule from India. As Shivaji drove out the Moghuls, so his worshippers are to drive out the English. It may be noted that at this time Tilak began to advocate the disuse of cloth of English manufacture, and was thus, as the press of his party now claims, the originator of the later boycott and Swadeshi movements."

The spirit of new nationalism spread to the states of ruling chiefs and far into Bengal. Having assured to the movement the co-operation of Indian rulers, the Shivaji meetings were not interfered with by the State authorities as was the case with pronouncedly political meetings. At Baroda for example, the meeting was attended by Mankaris, Jagirdars and officials besides the commoners. This meeting again, according to the *Mumbai Vaibhav* (June 26, 1896) "was unprecedented in the annals of Baroda". The distinction of Hindus and Muslims was unknown in the State, and the meeting was held in the house of a Mohammedan. As if to add to its importance, while the proceedings were going on, a telegram from Tilak wishing the organisers all success was delivered to the president. Subscriptions were raised on the spot and annual donations were promised. A map of the Raigarh Fort was kept on view and copies of Joshi's poem were distributed among the audience.

A disciple of Tilak initiated the movement at Calcutta. He

was Vishnu Balvant Bopardikar. On November 22, he brought together many Bengalis under the presidentship of Hirendranath Dutt, and they resolved that "to raise a monument to Shivaji, the Great, is the first duty of all duties that are imposed on the sons of India."

So much concentration of public mind on Shivaji in Maharashtra and elsewhere in India, gave rise to a historical controversy: "Did Shivaji commit an act of treachery in killing Afzal Khan?" Most of the British historians held that he did. Maratha scholar R. P. Karkaria challenged this view on the authority of Marathas' own *bakhars* or original chronicles. British historians, mainly on the basis of Mohammedan sources, Karkaria alleged, held that Shivaji artfully inveigled the frank Mohammedan to an interview unarmed, while he himself was fully armed, and on seeing "his friend the enemy" thrust his treacherous *waghnak* into Afzal's body in the act of embracing him. But according to Karkaria, *bakhars* told a different story. They held that it was not Shivaji but Afzal who was anxious for an interview, as he had pledged his honour to the Bijapur Court to bring Shivaji dead or alive in a short time, and could see no other way of redeeming his honour than capturing him at a pretended friendly interview. He, therefore, sent an agent to Shivaji to arrange for a meeting. The quick Mahratta, however, spied out the secret and prepared to hoist Afzal with his own petard. He, therefore, went armed. Afzal took Shivaji's head into his hand during the customary embrace and pressed it hard and also struck him with his sword. Shivaji, for his part, plunged his weapon into his adversary's body and despatched him. This version, Karkaria claimed, was to be found in the Mahratta *bakhars,* though no historian except Scott Waring, and he too only casually, tried to do the Mahratta the justice of putting it by the side of the Mohammedan account. Karkaria's paper was read at the Asiatic Society and commented upon by the *Times of India,* but sometime later a correspondent, who preferred to be anonymous, contradicted the new approach by his own deductions. The controversy continued for several weeks, and as the movement gained momentum, the *Times of India* began to condemn it as also its author, Tilak.

Eventually, it was a controversy of this nature, which led to Tilak's prosecution and conviction in 1897.

It was chiefly owing to Tilak's personal influence that the

nationalist movement became a real power in the land during the nineties, and that it was so closely connected with the religious orthodoxy after the Revolt of 1857. The Deccan had been little affected by the Revolt, nor was Bombay a political centre like Calcutta. Centred round Poona of course was a body of very distinguished men who kept the Hindu reformist tradition of Ram Mohan Roy, combining social reform activities with mildly Liberal politics. Tilak waged a ceaseless war against leaders of the reformist movement. Steeped in Vedas and religious literature, he knew, as none of his contemporaries did so well, how to attract the masses. He created agitation, accelerated its pace, and with his great moral and intellectual force kept it constantly simmering.

CHAPTER XVII

SOCIAL REFORM DISSOCIATED FROM CONGRESS

IN 1895 politics became hopelessly embittered in Poona which had been selected as the venue of the year's National Congress. There were two parties claiming to represent public opinion: those whose main plank of activities was social reform, and those who desired to arouse in the masses a consciousness of India's ancient glory and an urge for service of the motherland. As a gifted prophet of the new creed—signified by the Ganapati and Shivaji festivals—Tilak was bringing to bear an exaltation, an urgency, a heartening call on his countrymen to take interest in political work. He was the leader of what was commonly styled as the anti-social reform party. Instead of dissipating his energy on social reform, he wanted to use it to consolidate the masses on the political platform. The social reform had created a schism, and only a miscroscopic minority was in its favour; the general mass of the people was indifferent and derided the activities of the reformers. According to Tilak it was an official cry that "we cannot make any political progress without effecting social reform. But we should not allow ourselves to be deceived by it. Social reform can never be popular, and it is suicidal to associate it with a cause that is sure to be completely national within a short time." He therefore advocated that the Congress should steer clear of questions like social reform, and the sooner it removed the impression that it was associated with social reform the better it would be. Ever since the Social Reform Conference was started in 1887, mainly under Ranade's influence, its annual sessions had been held in the Congress pandal, after the termination of the Congress session. Tilak believed that this practice alienated the sympathies of many men and women and justified the charge that the Congress was an organisation of some educated people and did not represent the masses.

On the other hand, the social reformers, stirred by so many evils that had crept into Hindu society, ardently desired to reform it, and considered it as a condition precedent to political

advancement. For entirely different reasons, the British rulers held the same opinion, and this incidentally denied the reformers popularity among the masses. A reformist, with all his earnest intentions and benevolent motives, looked small compared with one who had a comprehensive scheme of national emancipation and consolidation of the people. The two groups had their own importance in the social life of Poona, but while the reformist group had little mass following that of Tilak had it in abundance. He knew, with the orator's true instinct, that he had the sympathy and concurrence of his followers. He had seen what tremendous response the masses all over the Presidency gave to his call for the celebration of the Ganapati and Shivaji festivals. With the experience he had gained in these two movements, Tilak aspired to convert the Congress into a mass movement. It was essential for this purpose to stop mixing the Social Conference with the Congress. It was a psychological approach.

Differences among the workers of the two groups grew in volume when the anti-social reform group, under the inspiring leadership of Tilak, put forth a demand that the pavilion of the Poona Congress should not be allowed for the use of the Social Reform Conference. Ever since Tilak entered politics in 1889, his party had been warning the Congress leaders against identification of the national organisation with a social reform movement. Armed with the authority of Dadabhai Naoroji, who had declared in his presidential address at the Calcutta Congress in 1886 that social questions should not be discussed at its sessions, the Tilak group repeatedly demanded discontinuance of the practice of the Social Conference enjoying the facilities collected for a Congress session.

The two groups in Poona were called upon to make necessary arrangements for the annual session of the Congress. Differences between them were acute; yet none of them could ignore the other, and on the committee that was put in charge of the work, the two groups were evenly represented, Tilak being appointed as one of the secretaries. The Poona Congress Committee consisted of a majority of reformers, but Tilak said that it was a matter of accident and that the Committee could by no stretch of imagination be regarded as representing majority of the people. He therefore demanded and was conceded equal representation on the committee of management. The arrangement, in the very nature of things, could

not last: the reformers were not prepared to abandon the practice of hoding the annual session of their Conference in the Congress pandal, and the Tilak group was equally vehement that Poona would make history by discontinuing the practice. Sardar Balasaheb Natu, a prominent member of the Tilak group, came out with a circular letter, which he sent round to his colleagues and sympathisers, stating that under no circumstances would the reformers be allowed to brush aside a popular demand.

But Tilak, personally, was not prepared to carry the fight to breaking point, and expressed a wish to withdraw from the committee if that would assure smooth progress of the preparatory work. In a letter he published in the *Times of India,* he expressed his attitude thus:

"Everyone, whether orthodox or heterodox, reformer or reactionary, should join in and support the Congress movement. A Congress in Poona cannot be regarded a success unless the majority of the people in Poona join it enthusiastically. We must approach the trader, the artisan and the working man as well as the educated classes and make all of them subscribe to the Congress fund and in order to do this we must appeal to each of them in a manner so as not to offend their susceptibilities unnecessarily. The Congress eventually aims at being a Congress of the people and the object cannot be achieved, unless, every year, an effort is made to approach more and more the classes that have not taken hitherto much interest in the movement.

"If the masses are drawn to the Congress, it is possible that they may not lend their support directly or indirectly to the cause of the Social Conference. It is this apprehension that makes the friends of the Social Reform restrict the scope of their work for the Congress within a safe narrow circle. One party wishes to draw to the Congress as large a portion of the public as it possibly can, irrespective of the question of Social Reform; the other does not wish to go much beyond the circle of friends of reform. The real point at issue is whether the Congress in Poona is to be a Congress of the people or of a particular section of it. If the friends of Social Reform are not willing to respect public opinion, which I regret to say, some of them are prepared to characterise as brute force—I for one am not prepared to make a split in the Congress camp by persisting in claiming a recognition of the views of

the majority of the public." Tilak had a serious plan: that was to make the Poona Congress memorable by throwing its doors wide open to the masses, and as a first step in that direction, he invited people of all ranks to make their small contributions to the Congress fund from their poor savings. "The Congress will be of the people", he wrote in the *Mahratta* (Nov. 10, 1895), "if hundreds and thousands are allowed to take part in it by being present in or about the gathering and expressing their silent consent to what their trusted leaders have to say."

In spite of the discouraging controversy, Tilak went ahead with his work; he went round collecting money and issuing letters asking for subscriptions. But the differences were there, and the opposing group, suspicious of him, once tried to remove the office from his residence while he was out of the station. Some of them hit upon a plan to out-vote him: by clever manoeuvring, they had a resolution passed at a meeting of the committee to the effect that those paying a subscription of over Rs. 50 would be entitled to as many votes as there were members (wife and children) in their families. This resolution was in supersession of a previous one which allowed one vote per head irrespective of the amount of subscription. What surprised Tilak most was that some of his own men were persuaded to vote for the new resolution, which incidentally neutralised the numerical equality which his party had been conceded on the management committee. His scruples received a rude shock, and he at once communicated the fact to all the leading Congressmen and associations in the mofussil. He also convened a public meeting and narrated to the audience the proceedings of the committee's meeting. He said in his speech that in order to circumvent him the reformers had adopted an immoral procedure which was harmful to the public cause. The meeting condemned the resolution and demanded reconstitution of the committee.

Public resentment was daily mounting against those who were bossing over the Congress show at Poona, and therefore the Standing Congress Committee dissolved the management committee, and set up another which consisted of seven members, two each from the two warring groups, and three from Bombay. A request was made to Tilak to accept this arrangement which he did if only to assure smooth prose-

cution of the preparatory work. But when the new committee came into existence, Tilak discovered that his party was in a minority of two against five reformers.

He felt that the only honourable course now left for him was to get out of the Committee and leave the work entirely in the hands of one party. In the first week of November, his paper *Kesari* announced his resignation from the committee. The paper added: "Tilak's party wants to make the Congress as broad-based and popular as possible, and in achieving this end they wish to be absolutely indifferent about what becomes of the social conference, an institution believed by them to be odious and hateful to the conservative multitude; whereas the other party, in spite of their ardent and undoubted love for the Congress, prefer to circumscribe their exertions so as to keep the conservative mob from obtaining an ascendancy in the Congress pandal."

Tilak's resignation was appreciated as an act of self-denial but it caused deep indignation among his numerous orthodox supporters who called a public meeting to discuss the question. The meeting declared itself in his favour, pronounced the Poona Working Committee of the Congress as an illegal and unconstitutional body, and appointed a parallel reception committee to take in hand the work of preparations for the ensuing session with Tilak as the general secretary. The reformers and some of their followers also attended the meeting, and attempted to circulate a paper declaring the meeting unconstitutional, but the audience was in no mood to listen to them.

The resentment of merchants, who liberally contributed to the Congress fund, was so great that they assembled together and decided to withdraw their subscriptions to the Poona Congress until the Working Committee gave them a written assurance that the Social Conference would not be held in the Congress pavilion. In the case of those who had already paid up their subscriptions, it was decided to issue a public notice to the reception committee asking it to return the subscriptions. The assembly formally resolved that the Poona merchants should write to their friends throughout India, calling on them to make their contribution to the Congress fund similarly conditional. A sub-committee was appointed to carry out these decisions.

As if by creating circumstances which eventually led to

Tilak's exit from the committee of management the reformers had insulted the people at large, there were held protest meetings not only in Poona, but outside also. Yet another and more momentous meeting was held at Poona at which the audience expressed its readiness to subscribe to and work for a People's Congress. A 'guarantee fund' of Rs. 40,000 was raised for the purpose. So earnest were the organisers of this meeting that they sent round letters to the standing Congress committees in different cities asking them whether they would support the People's Congress or the social reformers. Similar intentions were re-echoed at meetings in other towns; resolutions passed against the social conference were forwarded to Tilak.

The question had now assumed an all-India importance and was being variously commented upon in the press. It had passed out of the hands of Tilak whose advice to his enthusiastic followers not to think in terms of another Congress and not to do anything which would injure the Congress seemed to fall on deaf ears. They were in revengeful mood, because they had heard reformers likening Tilak to Raja Shiva Prasad and Sir Syed Ahmed Khan. (These two had joined hands with the British Government against the Congress.) Their anger against the reformers was aggravated by the knowledge that Dr. Bhandarkar (a leading social reformer) had made no secret of his hostile attitude towards the Congress; Rao Bahadur Jathar (another reformer), in his capacity as Director of Public Instruction in Berar, had ordered the schoolmasters not to attend the Nagpur session of the Congress even as visitors. Yet the reformers-ridden working committee had elected Jathar as Chairman of the committee, and the Tilakites contended that that would give him the honour of acting as the chairman of the reception committee, and welcoming Congress delegates on behalf of Poona. Then, one of the management committee's secretaries, K. P. Gadgil, sought from the superintendent of police the services of a police guard to keep a watch on the Congress pavilion which was yet under construction alleging that "a section of the Hindu community" was opposed to the Congress and "may do mischief."

A mouth-to-mouth propaganda carried on in the city made the position of the reformist managers of the Congress thoroughly precarious. They had been postponing the elec-

tion of Poona delegates for which a public meeting was necessary. There was now hardly a week left for the Congress to meet, and they called a meeting for December 20, for which an unusually short notice was given. Tilak's followers, who were vigilant about the activities of reformers, guessed foul play, and packed the hall with their own men before the arrival of reformers' special invitees. Tilak was also present. The proceedings began with one of the secretaries of the standing committee reading the notice convening the meeting. He was constantly interrupted. Then V. P. Apte, an old reformer, rose to propose a president for the meeting, but he was forestalled by a Tilakite enthusiast whose proposal for Jog, a leader of his own party, was quickly seconded and supported by an overwhelming majority. As Jog proceeded to take the chair, the Congress secretaries with some others left the meeting in protest. At this stage, Tilak appeared on the platform, and addressing the gathering said that a meeting for electing delegates should be held in a more spacious place so that as many people as possible might have a say in the election of their representatives. His announcement was met with repeated applause and hailed as "very just and fair." But some students, who got no opportunity to give vent to their anger and who had come prepared for a showdown, broke chairs and did considerable damage to much of the furniture if only to get satisfaction that they had put the reformers to much pecuniary loss.

Two days later, at the instance of Tilak, a mass meeting was held, again under the presidency of Jog. It was Tilak's wish to hold the meeting in a prominent place so as to obviate any chance of its representative character being questioned, and therefore he requested the management committee to allow the use of the Congress pandal. This was refused, and another place had to be arranged hurriedly. The meeting elected 250 delegates to the Congress. There were on the list some reformers also, and when protests were raised against inclusion of reformers' names in the list, Tilak insisted on their retention arguing that they did represent a section of the public, howsoever small.

Poona, where a mass of the people was solidly arrayed against a handful of reformers, gave Surendranath Bannerjea, the President-designate of the ensuing Congress, no small amount of anxiety. Preparations had been made, and

outwardly there appeared little which might disturb the transaction of business at the session. But he could not ignore the fact that a powerful section of public opinion had been excluded from the management of the Congress affairs, and that it was not graceful and free from risk to allow the matters to stand as they did. He therefore requested and prevailed upon Ranade to tell his friends not to insist upon holding the Social Reform Conference in the Congress pandal. In the situation prevailing in Poona at the time, no saner advice could be given, and it was therefore readily accepted by the reformers. Tilak and his followers ultimately won the battle. Poona put an end to the privilege which the reformers had enjoyed for eight years. At the year's Social Conference the following message from the Congress President was read to the meeting: "The *raison d'etre* for excluding social questions from our deliberations is that, if we were to take up such questions, it might lead to serious differences, ultimately culminating in a schism, and it is a matter of the first importance to prevent a split."

CHAPTER XVIII

SARVAJANIK SABHA

THE same year (1895), Tilak and his followers captured the Sarvajanik Sabha also, which had for many years been dominated by Ranade whose leadership nobody had the courage to question. The Sabha had been taking keen interest in public affairs, and often made representations to Government on behalf of the people. In times of distress, such as the famine of 1876-77, it rendered great help to the suffering peasantry by bringing its grievances to the notice of Government. Its approach was moderate, rather submissive, and therefore hardly fitted in with that of the Tilak school. Tilak had been associated with the Sabha for many years, but had not much effective voice in the conduct of its affairs. His popularity among the people was little reflected in the various provincial organizations which had been in the hands of the Moderates. Thus, while the common people had been put on a progressive path, the leadership, closely associated with Government as their servants or in other capacities, showed no inclination of covering new ground. Tilak and his followers believed that with inconsistency in the approach of these institutions and the tempo outside, political progress on the lines they had adopted was not possible.

Therefore, they joined the Sabha in large numbers and secured a comfortable majority over the Moderates. In Ranade and Gokhale, the Moderates had their strong leaders, and naturally differences arose between them and the Tilakites. The quiet waters were disturbed, and the smooth sailing which the Moderates had enjoyed for many years was made almost impossible any longer. The leadership of the great Ranade, who, in the social and political life of India, had risen very high, was twice challenged by Tilak, and each time the old leader had to surrender: once, as already stated in the previous chapter, over the issue of the Social Conference holding its session in the Congress pandal and then in the Sarvajanik Sabha. It was an unpleasant duty for Tilak, for he had great respect for Ranade and often mentioned him in his speeches. But the two could never agree with

each other. In order to patch up the difference between the two groups in the Sarvajnik Sabha, G. K. Gokhale offered a "compromise formula," the three points of which were: (1) the managing committee of the Sabha should be composed of equal number of members from both groups; (2) there should be no change in chairmanship (the chairman belonged to the Ranade group); (3) an additional secretaryship should be created and a representative of the majority group appointed to the post—there had so far been two secretaries, both of the Ranade group.

The proposal failed to produce any workable arrangement, and the Moderates in a body left the Sarvajanik Sabha. In November, 1895, they set up a parallel organisation called the Deccan Sabha, under the leadership of Ranade, with Gokhale as the real boss of the show. They openly declared that they could not associate themselves with extremism and sedition of which Tilak was an exponent. But in spite of the Moderate's moderation, the Sarvajanik Sabha had been, when its affairs were solely in their hands, taken to task by Government at least twice, and now with "avowed extremists" taking it over, they were not prepared to allow the hot potato once again into their mouth.

Early in January (1895), the Sabha had drawn up and duly adopted a memorandum for submission to the Government. It related to communal riots, expressed the Sabha's views and offered certain suggestions to the Government. The Governor and his Executive Councillors did not like the suggestions, and were angry over them. The Governor went out of his way to address a communication to the Sabha asking for full information of the circumstances under which a memorial of that nature had been drawn up—which of the members were present at the meeting, how many voted for and how many against it The Sabha was reluctant to disclose the names; it would have apparently meant breach of faith. But the office-bearers were afraid that withholding of information would offend the Governor, and therefore supplied the details asked for in the Government communication.

This incident made the Ranade-Gokhale group cautious, but it enhanced the resentment of the Tilak group. To the former, the Tilak group was a body of extremists. But Tilak, who did not like to be dubbed as an extremist or a seditionist, hit back in a sarcastic strain: "We have been accus-

tomed to the terms, moderates and extremists, in social reform controversies. But we refuse to accept these artificial differences in politics. Am I going to destroy the British Government? And are Mr. Ranade and Professor Gokhale going to be its saviours? To plume oneself as a moderate and to say that others are running after the impossible and insinuate that they are actuated by seditious motives shows the height of imprudence. If ever the Sabha has run after the impossible and has shown 'extremist leanings', it was in Professor Gokhale's regime. It had to make amends by tendering an apology. Mr. Ranade ought to know that the Sabha incurred suspicion of disloyalty when he himself was guiding its policy. All of us know how he had to move heaven and earth to remove the blot. Should he, knowing all this, now come forward, and because he cannot command a majority in the body, throw aspersions at the Sabha?"

A passage from Gandhi's *Satyagraha in South Africa* gives an idea of how the differences in the two groups reacted on public life in Maharashtra. Says Gandhi:

"I returned to India in the middle of the year 1896 . . . It was during this visit that I had the privilege of seeing Indian leaders, Sir Pherozeshah Mehta, Justice Badruddin Tyebji and Mahadev Govind Ranade and others in Bombay, and Lokamanya Tilak and his circle, Prof. Bhandarkar and Gopal Krishna Gokhale and his circle in Poona . . .

"I cannot, however, resist the temptation of describing here a sacred reminiscence of Poona, although it is not strictly relevant to our subject. The Sarvajanik Sabha was controlled by the Lokamanya, while Mr. Gokhale was connected with the Deccan Sabha. I first saw Tilak Maharaj. When I spoke to him about my intention to hold a meeting in Poona, he asked me if I had seen Gopalrao. I did not understand whom he meant. He therefore asked me again if I had seen Mr. Gokhale and if I knew him.

"'I have not yet seen him. I know him by name and mean to see him', I replied.

"'You do not seem to be familiar with Indian politics', said the Lokamanya.

"'I stayed in India only for a short time after my return from England, and had not then applied myself to political questions, as I thought it beyond my capacity,' I said.

"Lokamanya then said, 'In that case I must give you some

information. There are two parties in Poona, one represented by the Sarvajanik Sabha and the other by the Deccan Sabha.'

"I replied: 'I know something about this matter.'

"Lokamanya: 'It is easy to hold a meeting here. But it seems to me that you wish to lay your case before all the parties here and seek to enlist the support of all. I like your idea. But if a member of the Sarvajanik Sabha is selected to preside over your meeting, no member of the Deccan Sabha will attend it. Similarly, if a member of the Deccan Sabha were to preside, members of the Sarvajanik Sabha would absent themselves. You should therefore find out a non-partisan as chairman. I can only offer suggestions in the matter, and shall not be able to render any other assistance. Do you know Prof. Bhandarkar? Even if you do not know him, you should see him. He is considered a neutral. He does not take part in politics, but perhaps you can induce him to preside over your meeting. Speak to Mr. Gokhale about this, and seek his advice too. In all probability he will give you the same advice. If a man of the position of Prof. Bhandarkar consents to preside I am certain that both the parties will see to it that a good meeting is held. At any rate you can count upon our fullest help in the matter.'

"I then saw Gokhale . . . Gokhale liked the advice which Lokamanya had given me.

"A successful meeting was held in Poona. The leaders of both the parties attended and spoke in support of my cause."

CHAPTER XIX

"DON'T PAY LAND REVENUE IF YOU CANNOT"

THE Poona Congress (1895) met at a time when signs of a severe famine appeared in the Bombay Presidency. The anxiety of the people was depicted at the site of the Congress in an unusual manner. A gaunt and emaciated figure of an Indian peasant was placed by some agriculturists near the pavilion. It was some twenty feet in height and carried a huge placard of the cultivators' grievances in its hand. Near the figure was the representation of a village *chowpal* where the cultivators were shown to be engaged in an animated discussion of their depressed condition and grievances. They seemed to demand for themselves an easy, elastic method of collecting land revenue and abolition of the stringent forest regulations. They also seemed to say that they were being crushed to death beneath a three-fold burden, viz., the Government, the money-lender and the priest, and that if no relief was offered to them soon, they would be so infuriated as to throw off the yoke.

The excessive burden of land revenue was crushing the tenantry, and with natural calamities added to it, there was widespread starvation and misery. At the Poona Congress, Tilak, speaking on the resolution demanding permanent settlement, again drew attention to the deteriorating condition of the cultivators. He said: "It has been conclusively shown that in a number of cases the assessment has been increased from two hundred to four hundred per cent and in some cases to even 700 per cent. And it has been brought to the notice of Government that enhancements are higher than the limitations set down in the resolution of the Secretary of State for India." But the Government showed no inclination to give relief.

In 1896, with the failure of monsoon over a wide area, there was to be seen anxiety writ large on the faces of the poor people, especially the peasants. Those who had had an experience of the 1876 famine could easily imagine that the Presidency was once again in the grip of a severe calamity.

There were, it will be remembered, grave agrarian riots that year, which developed an anti-British character. The Government had then enacted a new law called the Famine Relief Code, sections 137-142 of which laid down that in the areas in which the total output of crop was less than five annas in the rupee, the land revenue, according to the recommendation of the Collector, would either be suspended or a certain percentage of remission would be given.

Subsequent events showed that the Famine Code, with these specific provisions, was the result of agrarian riots and not of any benevolent intentions. The famine of 1896-97 brought with it double distress like its predecessor twenty years before: death by starvation of thousands, and collection of land revenue from a famine-stricken people. In 1876-77, the harrowing tales of the starving millions had reached the ears of the people in England, and the philanthropic among them had started, with the encouragement of the British Government, an Indian Relief Fund. Newspapers of the Bombay Presidency repeatedly demanded establishment of such a Fund, as the famine of 1896, they contended, was worse. There was some stir in England also, but the Viceroy advised the Englishmen not think of raising a Famine Fund until after the results of the winter rains were known.

The Indian papers openly attributed mass starvation to the Viceroy's intransigence and unwarranted optimism, and several of them asked him to tender his resignation. The Government did not announce any relief in revenue, and the Forest laws continued to be as strict as ever. The tribal people living near the reserved forests were so much exasperated that they assumed a defiant attitude. There were riots. The Government became wise after the event and allowed for a certain period fuel, wood and grass to be picked up gratis. But as if to avenge the riots, punitive police was posted in the neighbouring town and its maintenance was collected from people who had had no hand in the rioting. The Secretary of State too re-echoed the Viceroy's words and, when asked to start a Famine Fund in England, said that there was yet no cause for anxiety and a Fund might not be necessary.

But the Viceroy's hope was belied; the rains did not come, and the famine, with all its fury, raged over the whole of the Bombay Presidency. There was again a demand for a

Famine Fund to be opened in England, and Famine Code to be applied to the affected areas. Newspapers repeatedly demanded that suspension and remission of land revenue should be announced through the Government Gazette, but when this was not done, the liberal-minded among them interpreted that the Code as a law was already on the Statute Book, and the suffering cultivators could claim the relief it provided for them; it was immaterial whether a formal announcement about the existence of famine was made or not.

Tilak took upon himself the responsibility of informing the people what were their rights under the Code and asking the well-to-do to come out with help for the sufferers. He started giving information through the *Kesari,* pamphlets, handbills, and above all through the agency of the Sarvajanik Sabha. In September, 1896, the *Kesari* warned the people of the distant rumblings of the approach of famine. Week after week, a part of the journal was devoted to the famine. Then, with a few exceptions, the entire Indian-owned press carried on a campaign against Government apathy.

Those who have an idea of how land revenue was collected by agents of the British Government, especially in the nineteenth century, can appreciate that the advice tendered by Tilak was bound to be resented by the authorities. The law was little known to the tenantry, and if ever a suspension or remission of revenue was given, it was looked upon purely as an act of mercy, rather than as a right. Concessions, it would not be an exageration to suggest, were incorporated in the law to be given when law and order were threatened. The Deccan riots, as already pointed out, gave birth to the Famine Relief Code. Land revenue, being the principal source of Government income, the Collectors were considered to have discharged their duties efficiently and satisfactorily only if their collections were good. On this often depended their promotions and good entries in their service books. What measures they adopted in showing good collections was not the concern of Government. The history of the subsequent fifty years shows that even in the years of natural calamities, resulting in substantial or total loss of crops, remissions were granted only when a public agitation was launched. Ordinarily, the authorities did not relax the tempo of collection in spite of adverse conditions obtaining in the countryside.

The obvious course, therefore, was for Tilak to create conditions in which the district authorities could be prevented from collecting land revenue where the Famine Relief Code forbade such collection. There was no need to violate the law, but on the contrary the need was to enforce it and make the authorities enforce it. This was the peculiar character of the struggle which, under his leadership, the Sarvajanik Sabha launched in the areas affected by famine. For the Government, it was a new experience. The district authorities were accustomed to taking advantage of the villager's ignorance, and the Government connived at their doings, because they meant a regular flow of money into the state coffers. Tilak reduced the object of his movement to a simple formula: the Government had made a law to help the peasants in times of distress; it had no machinery to make its measures of relief known; the district staff was not doing it. They would therefore help the Government, and tell people on its behalf that the authorities had already made a law "to help you" and you have only to invoke it.

The work that Tilak set before himself required a band of selfless, intelligent workers, and therefore the Poona Sarvajanik Sabha, which now had among its members many educated men, lawyers and teachers, was commissioned into service. The Sabha despatched its 'agents' to famine-stricken areas all over the Presidency. Their job was to inform people by word of mouth and through printed handbills that there were provisions in the law which would protect them in times of distress like the one they were passing through. They also collected information and despatched it to the Sabha's headquarters which in turn made representations to the Government. The weekly exhortations in the *Kesari* served as guidance to the agents and to the people at large.

Tilak's policy being to use the British authorities' own laws and utterances against them, he referred to a speech of the Queen in which she had said she was anxious to save the lives of the famine victims. "Will you," Tilak asked his readers, "when the Queen desires that none should die, when the Governor declares that all should live and the Secretary of State is prepared to incur debt if necessary—will you kill yourself by timidity and starvation? If you have money to pay Government dues, pay them by all means. But if you have not, will you sell your things away only to avoid the

supposed wrath of subordinate Government officers? Can you not be bold, even when in the grip of death?" He added: "We can stand any number of famines, but what shall we do with sheepish people? Had such a famine broken out in England and had the Prime Minister been as apathetic as Lord Elgin, his Government would have tumbled down like ninepins." To those who thought of looting the bazars, he said: "Why loot the bazars? Go to the Collector and tell him to give you work and food. That is his duty."

He addressed the students assembled in Poona for the University Examinations and asked them to go to villages and enlighten the peasantry on the Famine Code. He made an extensive tour of Poona and Sholapur districts and addressed a number of public meetings. In order to test the Government's professions of good faith, he brought out a book in Marathi, containing a gist of the relevant provisions of the Famine Code, the Government resolutions on the subject issued from time to time, the rule of Takavi loans, and other pertinent matters, and sent copies to the Collectors with the request that they should be distributed among the peasants. The request was refused.

Now, the agents of the Sarvajanik Sabha started on their lecture tours with the bundles of famine literature. The tenor of their speeches was the same as the writings of Tilak.

The collectors were as exacting as ever in their collections, and it was not a rare sight to see the cattle and household effects of the cultivators being sold for realisation of land dues.

In many villages Mahars were posted at the doors of the houses, and the inmates were not allowed ingress or egress until they paid the land revenue. In some places the cultivators were not allowed to water the standing crops in the confiscated holdings. The victims went in crowds to the village money-lenders and took out loans at exorbitant rates of interest.

The agents of the Sabha became an eyesore to the district authorities, and in some places they were not allowed to hold public meetings. One of them, Professor Achyut Shivaram Sathe (he was also a secretary of the Sabha) was arrested and prosecuted under the Penal Code, the Forest Act and the Abkari Act. The prosecution, however, failed and Sathe was released.

Another prosecution of the same kind was instituted against

three other agents for publishing and circulating copies of a handbill, which was interpreted as abetting the people in resisting the authority of public servants. The handbill, an extract from an issue of the *Kesari*, explained the rules of the Famine Code and urged upon the people the necessity of petitioning the Government for relief. Again, the prosecution failed and the accused were discharged. The trying magistrate admitted that the handbill was very cautiously worded, but said that it was capable of being misconstrued or misunderstood as urging the people not to pay the assessment at all. The pleader for the accused replied that since the cautious wording of the handbill was admitted, it was no fault of the writer or the publisher if "a foolish person construed it in a foolish way."

Tilak was present at the trial. He visited the town of Pen where Sathe had delivered the speech which led to his prosecution. His visit added incentive, and the little town presented quite an appearance of stir and bustle both by day and night; several parties and entertainments were given by the public in honour of Tilak and his collegues.

The revenue officers had hoped that conviction of a few Sabha agents would remove the obstacles in their way, and their failure to obtain convictions put them in an embarrassing situation. But they still believed that, with the agents moving about in the countryside and with their exhortations at public meetings definitely affecting collection of revenue dues, they could not secure a percentage of collection which would normally satisfy their superiors. Therefore, other devices than a legal remedy were resorted to. Difficulties were put in the way of the agents collecting information about agrarian conditions and holding their meetings. For instance, at Kalyan, the authorities prevented the printing of a circular convening a public meeting. Yet the meeting was held and some 2,000 people attended it. It was addressed by one of the Sabhas's chief agents, Professor Paranjpe.

The unrelenting attitude of the authorities exasperated the Indian language newspapers of the Presidency, and some of them began openly to preach non-payment of taxes.

In a state of helplessness and desperation, the people moved about aimlessly, and animistic tendencies got the better of the faculty of reasoning. The inhabitants of the village of

Bushire were suffering from a prolonged drought. On perceiving one day a strange apparatus in the local telegraph office, the idea dawned upon their minds that that mysterious arrangement prevented the rains; so they broke the apparatus. And lo, the rain-showers fell suddenly and in abundance as though in consequence of the breaking of the telegraph apparatus! (*Vyapari*, dated January 31, 1897.)

After caustic comments in the newspaper columns had been repeatedly showered on him, the Viceroy started a tour of the affected areas. He was received, wherever he went, by the well-to-do with all the grandeur and show that had become associated with a Viceroy. Thousands of rupees were spent. 'Fields of the cloth of gold' were displayed, gorgeous banquets were given, fireworks were displayed, and every variety of luxury and prodigality was indulged in. With a painful feeling Tilak pointed out that all that money would have been better employed in clothing the naked and feeding the starving.

But one effect of the Viceroy's visit was a favourable reaction in England. On January 17, a grand meeting was held in London at the Mansion House, under the presidentship of the Lord Mayor. The Duke of Connaught moved the main resolution. He urged all to do everything in their power to help their Indian fellow-subjects. The resolution was seconded by the Secretary of State for India. Then appeared on the scene that great friend of India, Hyndman, the leading socialist of his times, who had been advising Indians to rise against the British rule. He proposed an amendment to the Duke's resolution that monthly drawings on the Indian Exchequer should be suspended for one year and that the money so saved should be expended in mitigating the horrors of famine. He was, however, ruled out of order by the Lord Mayor, and on pressing for his amendment in spite of the ruling of the chairman, was ejected from the hall by the police. Hyndman had evidently some supporters at the meeting who expressed their resentment by hissing during the Lord Mayor's speech. Hyndman's amendment, if accepted, would have made Rs. 20 crores available for starving Indians. The meeting then adopted the Duke's resolution, and a Famine Fund was established. The relief that it provided was meagre and very much belated.

At this time preparations were going on both in England

and in India for celebrating the 60th anniversary of the coronation of Queen Victoria. Many ruling chiefs of India had been preparing for a visit to London on that occasion; they were little concerned with the misery at home. The papers were advising in vain that the celebrations should be postponed in view of the biggest dependency of the Queen passing through one of the worst famines of all times.

The authorities were not in a mood to listen. To them and to the Anglo-Indian community, led by *The Times of India*, the disturbing factor in India was not the famine but the agents of the Sarvajanik Sabha. The Sabha was now characterised as a band of agitators; and it was said that with Tilak as its leader it could no longer be regarded as a representative body. In March, 1897, the Sabha happened to figure, rather prominently, in the agenda of a meeting of the Governor's Executive Council. And on the 17th the result of the Council's deliberations were published in the form of a Government resolution which, in brief, said: "The Poona Sarvajanik Sabha, as at present constituted, must cease to be recognized as a body which has any claim to address Government on questions of policy."

The reaction of every sensible man to this resolution would be the same. Let the *Mahratta* (March 21) express it: "The Government may or may not favourably consider any petition sent to it, but that does not preclude any one from addressing Government on questions of public policy. The Sabha was not created by a Government resolution and it cannot be abolished by it."

There was reason for the Government to take this seemingly irrational attitude. In the past the Sabha had always, however unwillingly, carried out the Government's commands, and had never exposed the Government so blatantly as it did in 1896-97. There were other organisations also in the Presidency, but none had acted so "agressively." The Congress was nowhere in the picture. The Congress of 1896 was held in Calcutta; there was talk of famine; but there was no activity on its behalf after the session was over. Tilak was sorely disappointed, and wrote in the *Kesari* (January 12, 1897): "For the last twelve years we have been shouting [ourselves] hoarse, desiring that the Government should hear us. But our shouting has no more affected the Government than the sound of a gnat. Our rulers disbelieve our statements or profess to do

so. Let us now try to force our grievances into their ears by strong constitutional means. We must give the best political education possible to the ignorant villagers. We must meet them on terms of equality, teach them their rights and show how to fight constitutionally. Then only will the Government realise that to despise the Congress is to despise the Indian nation. Then only will the efforts of the Congress leaders be crowned with success. Such a work will require a large body of able and single-minded workers, to whom politics would not mean some holiday recreation, but an every-day duty to be performed with strictest regularity and utmost capacity."

The Congress of many years later was forestalled when he gave the call which was echoed and re-echoed in the countryside by his agents: "Do not pay land revenue if you cannot." His movement was characterised as a no-rent campaign in official despatches and by British authors.

CHAPTER XX

AS A COUNCILLOR

In spite of the combined opposition of the Moderates, the European community and the Anglo-Indian press, Tilak was twice elected to the Bombay Legislative Council, first in 1895, and again in 1897. The Reforms Act of 1892 had provided for an elective element in the Legislatures, and in Bombay Presidency, eight seats were thrown open for election. In the first elections under the new Act, the Central Division of the Presidency was somehow left unrepresented, and since this division included Poona, the storm centre of politics, an agitation was carried on against the omission. The agitation had its effect, and before the next elections came off in 1895, the Central Division was allotted a seat, and Tilak's friends persuaded him to contest it. Two months before he had been elected to the Poona City Municipality, and they were sure that he would win the Council election. The Moderates were opposed to Tilak's candidature, and put up a Government servant of high position to contest the election. His name was Jathar, and he believed that the District Boards of the Division, which constituted the electoral college, would not dare cast their votes against him. Then, men like Ranade and Gokhale personally canvassed for him. There was yet another man, named Garud, in the field. Garud was a pleader and counted on his personal popularity which he had achieved through his professional work.

These two had monetary backing too. But Tilak had many supporters, who worked for him ungrudgingly, believing that it was a public cause for which they were working. They succeeded, with Tilak getting 35 votes as against Garud's 26, and Jathar's only two.

Tilak's election came as a rude shock to the Anglo-Indian press, which was never tired of hurling abuses at him. His main adversaries were the *Times of India* and the *Bombay Gazette*. They suggested to the Governor that Tilak's election should not be approved. The 1892 Act, while introducing some elective element into the Councils, gave no power to

the representatives of the people. They had no power to make any alteration in the budget. They could only make speeches, and those too within certain defined limits. Even the provision of elected representatives was a farce, because the Governor had the power to reject the election of any member. The fear that an election might be rejected compelled members to exercise control over their tongues. The Anglo-Indian press regarded Tilak an undesirable member, and they would not tolerate his taking a seat in the Council. The *Bombay Gazette* asked Government to veto Tilak's election. The paper denounced him as a "rabid journalist and a discredited agitator."

When the fury of the Anglo-Indian papers did not abate, the *Kesari* made a reply in which it said: "Our contemporary, the *Bombay Gazette,* suggests that in case Mr. Tilak, who is the editor of two rabid journals, is elected for the Central Division, Lord Sandhurst should exercise his right of veto and squash the election. If Government vetoes the election of a representative chosen by a constituency, the attempts to reform the Legislative Councils and the slight good done by the Indian Councils Act of 1892 will be nullified."

But the authorities acted wisely, and Tilak's election was approved by the Governor on June 12, and he took his seat in the Council, on August 7, after taking the customary oath of allegiance to the Queen. He made a speech, and quite expectedly it was a departure from the common run of speeches made by the 'Honourable Members' who kept themselves within well-defined limits so as not to offend the Government. Tilak crossed the limits and made an all-out attack on Government's taxation policy. Before entering upon his new task, he made a thorough study of the Budgets of previous years, and equipped himself with facts and figures. He said that since 1870, the revenue receipts of the Bombay Government had gone up quite considerably, without corresponding increase in the income of the people. The burden of ever greater taxation was crushing the people. The Government did not spend the extra revenues on works of public utility, but spent them on the bureaucracy. The criterion of examining the budget, he said, should be "how far the revenue has increased during the last 25 years and what portion of it has been devoted to the material development of the Province." But the budget figures gave a sur-

prising answer, he said and added: "The revenue of the Presidency has increased by about 5.5 crores of rupees during the last 25 years. Land, Forest, Abkari have all been made to yield as much as possible even to the inconvenience of the people; and yet out of the revenues so realized only a small portion has been devoted to the material improvement of the Province."

He was a member of the Council, when he carried on what was called a "no-rent campaign", and his colleagues were astonished that an 'Honourable Member' should associate himself with such 'questionable' activities. The 1892 Act gave Indians no power, and he had no faith in it. If he entered the Legislature it was to carry the anti-Government agitation into that 'august body'. An extra seat for the Central Division was no bait, and he told the critics: "An additional membership is, as I view it, no sop or gag intended to stop honest and fair criticism. But if it is, I should certainly give it up rather than consent to draw the curtain over the gross negligence or the palpable errors of officials, however high they may be."

During the course of two years, the Council met barely for eight days, and worked for less than 36 hours. That was the short span of Tilak's legislative career. He asked questions, he made long speeches, and he broke the established convention under which members made only mild speeches in the presence of the Governor who presided over the Council.

The first term being over in 1897, he again contested the seat and won it with camparative ease. But his activities during the 1896 famine and the recent plague made the Anglo-Indian press and the European community his sworn enemy. Again, the Anglo-Indian press began to shower abuses on Tilak and sternly warned Government that a man like him had no business to sit in the Council. Their advice was ignored, and Tilak's election was approved. But a month later he resigned from the Council after his conviction for sedition. For the same reason, he resigned from the Municipality also.

CHAPTER XXI

THE MERCIFUL PLAGUE!

GRINDING poverty which was the normal condition of the masses deepened into famine, of which we had a glimpse in the previous chapter, and as if the misery it left behind and the millions of lives of men and animals it took were not enough, a virulent plague, the like of which was unheard of before, appeared in Bombay and thence arrived in Poona. The City of Bombay was attacked in December, 1896, by the scourge which spread with the rapidity of a wild fire, from ward to ward. The authorities hoped that, like other epidemics, the plague could be suppressed with the usual measures and realized very late that the onslaught was terrific and extraordinary. Never had an epidemic taken such a heavy toll of life; cremation and burial grounds were swarming with corpses which had to wait for their turn. With the intensity of the epidemic increased the anxiety of the people; newspapers breathed forth contempt for the authorities' criminal indifference. Some of the leaders left Poona for places of safety and there was a similar stampede among officials. The papers chided them for going out "on holiday and pleasure trips at a time when duty demanded their presence in the city". At this time of trial, Tilak stuck to his place of duty, moved freely among the plague victims, collected funds for their treatment and food, started a hospital, established a free kitchen, and knew no rest so long as the epidemic scourged the town.

Stories of the undiminished fury of the bubonic plague reached Europe, and the countries having commercial relations with India began to caution themselves. They feared that it was not safe to allow vessels coming from India to touch at any European port. European countries decided to hold at Venice a conference of scientific men from different places to discuss the nature of the bubonic plague and the means to check its spread. Steps were taken to prevent importation of Indian goods. This factor which climaxed the belated realisation of the seriousness of the situation compelled the Viceroy to adopt special measures. A new law,

called the Epidemic Diseases Act, was enacted on February 4, 1897. It gave special powers to the Viceroy himself and to the Governors of the provinces. Some of these were: to inspect steamers touching at or leaving any port in India; to detain their cargo and passengers; to examine persons travelling by railway at any station; to place such restraint as might be thought proper to remove affected passengers travelling by it to hospitals. In the affected areas themselves, the powers assumed by the authorities were enormous; any house could be searched and any person segregated without previous notice.

It was this last provision which brought untold misery to the citizens of Poona. However distasteful, a search was inevitable and segregation necessary; therefore Tilak appeared publicly as a supporter of Government measures, and actively collaborated with the authorities. He offered his fullest co-operation at a time of unprecedented disaster. His criticism of the earlier apathy of the authorities was mild and he showed a spirit of understanding. He wrote in the *Kesari*: "The plague is a disease of such a nature that if at the outset proper remedies are adopted to prevent it from spreading, it is possible that perhaps it may disappear in its embryonic stage. But if it once spreads, and specially if it spreads to more places than one, it certainly becomes uncontrollable. The proper method is to stop altogether communication of the place affected by the disease, that is to say, of the persons and articles therein with other places. This method could perhaps, to a considerable extent, have been adopted when the plague had just appeared in Mandvi. But whether because through our misfortune the Government doctors did not understand the form which the plague would take in future or because of their negligence or owing to some other cause such a step was not taken. It was only after the epidemic had spread to a considerable extent that steps began to be taken to separate the plague-stricken from the healthy."

Segregation was decided upon by the authorities as the principal measure of saving the unaffected population. Tilak agreed with the proposition, but the general mass of the people thoroughly disliked it, and prayed to be left in their houses to the mercy of God. Their attitude may be described in the words of Tilak himself: "Although from a scientific point of

view segregation is of great use, still the adverse notions of the community about hospitals, the arrangements in hospitals, the usual way in which the rulers conduct themselves towards the ruled and diverse other reasons have rendered it almost impossible to bring segregation into practice. To what extent the impression that a hospital means a place for killing persons has gained . . . . and taken a deep root in our community will be easily seen from the fanciful rumours in connection with this, which one often hears in Poona and in Bombay. This terror about hospitals has been aggravated by the acts of some of the unscrupulous policemen."

Tilak, therefore, suggested that the pre-requisite of segregating the patients was to restore confidence in the people. The people should have faith that their dear ones were not being taken to be killed; that in the segregation camps or hospitals they would be safer. That confidence, he added, could never be brought about by a show of police force. The alternative before the people, who were not prepared to trust the Government agency, he said, was to raise funds and set up their own hospitals. He gave the lead, collected subscriptions and established the Hindu Hospital but, the means being limited and well-to-do people not coming out with charity, his hospital was able to manage hardly thirty or forty patients and Government measures, however disagreeable, became inevitable.

In order, therefore, to assure effective enforcement of the segregation rules, Government posted at Poona an officer named Rand who had acquired a reputation for strictness in Satara as an assistant collector. Rand was designated as the Plague Commissioner and given extraordinary powers under the Epidemic Diseases Act. Tilak foresaw a rule of terror and told the authorities through an article in the *Kesari* (February 16, 1897): "From the present inclination of Government, Rand's administration will be carried on, it appears, with much rigour. But it may be safely inferred from the segregation incidents that such rigorousness in administration will not be of as much use as can be expected and will cause greater opposition in securing the intended object. We are of opinion that the co-operation of the people secures these things better than mere force. The Bombay and the Poona people are now more afraid of the Government operations than of the prevalence of the plague.

Fear and anxiety are in themselves one of the causes of disease."

The same feelings were expressed at a meeting of doctors, which resolved that if segregation and other remedies were applied with consideration and with commonsense, the people would not be panic-stricken and the object would be achieved in a greater degree. The Municipality also suggested that segregation by tact and sympathy had greater chances of success than by use of force. But the Government had decided to enforce segregation with all the severity it could command. Again Tilak administered a warning: "Because the European nations are terrified, it is no use for us to lose our heads and adopt silly remedies." The advice was not heeded, and Rand began to ride roughshod over the sentiments of illiterate simple folks living in crowded *bastis*.

Rand moved with a regular army of coolies and policemen at his heels, pulled down infested dwellings, had the inmates forcibly removed to segregation camps. At many places beddings and clothes were burnt with the object of destroying plague germs. This would have been tolerated had the denuded people been provided germ-free clothes but this was not done. Similarly essential articles of life were destroyed, leaving the owners thereof weeping and destitute. Rand entered any part of the house, even a kitchen or the room where the family idols were kept. Locks were freely picked to see if any plague cases were concealed in the closed houses. Armed Indian police and European soldiers, with revolvers in their hands, rushed into the women's apartments. From the unlocked houses, household effects were sometimes removed, never to be returned. Huts were burnt down. Some soldiers employed in search parties broke open the cash boxes and safes of shopkeepers. Others believed that sewing machines could not in any way be disinfected and must be burnt. Another party thought it necessary to burn glass chandeliers, which they found in a house where a case had occurred. The whole proceedings resembled the sacking of a conquered town by the enemy.

Never did Tilak feel so helpless as he did during the Rand regime. He did not want to quarrel with the authorities, for that would complicate matters; and it was too painful for him to let matters drift. He pleaded in vain with local authorities to be humane in their behaviour. He then addressed a joint

appeal (signed by himself and four others) in which he offered some suggestions for better administration of the segregation rules: rules under which search was carried out should be published; volunteer committees should be formed to report if any excesses had been committed and also to help segregation without use of force; care should be exercised in handling pregnant women and decrepit persons; a report should be made of articles destroyed so as to avoid misappropriation; reckless removal of property or picking of locks should be avoided, and when necessary should be done in the presence of the owners; etc.

The private secretary to the Governor, acknowledging the appeal, wrote to Tilak: "His Excellency has read your Memorandum on the plague operations in Poona with much interest and has directed me to send it to Mr. Rand," but there was practically no change in the methods employed by Rand and his army. People cried in agony, "Plague is less cruel to us than the official measures."

In the middle of May, to the great relief of the people of Poona, appeared an official notice announcing that the plague had now almost subsided and that inspection of houses by British soldiers would be discontinued from the 20th. Stray cases of plague were still occurring, but the disease had evidently spent its fury. With the same misplaced zeal with which Rand carried on his operations, he ordered the closing of hospitals, and an order was served on Tilak's Hindu Hospital also. Tilak and others waited in deputation on Rand, appealed to him to let the Hospital function until the rains were over, and stated that people still needed the services of the Hospital. Rand was adamant and said that his order would stand. The Managing Committee of the Hospital then approached the Plague Committee, which admitted the request.

Now, as if the curtain had been lifted, the real picture of well-to-do people's own behaviour appeared more vividly. This was to Tilak more painful than officially conducted opreations. Their masterly inactivity and indifference was inexcusable. When the operations were drawing to a close, he plainly said what he thought of them: "It is true that Her Majesty the Queen, the Secretary of State and his Council should not have issued an order for needlessly practising *zulum* upon the people of India without any special

advantage to be gained, and that the Bombay Government should not have entrusted the execution of this order to a suspicious, sullen and tyrannical officer like Rand; and for this one cannot sufficiently blame the Home Government as well as Lord Sandhurst. But in my opinion it is the duty of our leaders to find out some contrivance for the protection of our people when it has once been settled that Government is to practise *zulum* and when we are convinced that no one up to the supreme authority will and does afford redress for this *zulum*. What answer are we to give if any one asks us the question whether our leaders tried to do anything in suppressing the fire which has at present spread in the city beyond remaining out of the city and clamouring from there? . . . Directly the Plague Act was passed, we should have observed in what direction the wind was to blow and should have begun to take steps for our protection. But the leaders betook themselves to flight."

Then he asked, "Is it not extremely disgraceful to us that in a city like Poona some ten or fifteen thousand rupees could not be collected for a Hindu Hospital, and that the persons who started it could accommodate only thirty or thirty-five patients and that too by charging fee? We are reduced to such a plight now that if the Government becomes oppressive we have not the ability to punish it; if we cry out, the Government pays no heed. If our eyes are not opened even now, we can only say that it is our misfortune and nothing else."

As usual, the *Times of India* was more horrified by the critical articles of Tilak appearing in the *Kesari* than the Government itself whose plague measures were the target of mild attack in the articles. The *Times of India* in its editorial comments and in the correspondence columns plainly suggested that Tilak's two papers, the *Mahratta* and the *Kesari,* were inciting the people to break the peace and to have recourse to force. Tilak, through a letter in the Anglo-Indian daily (June 30, 1897) challenged the veracity of the allegation saying: "Take any issue of the *Kesari*, and you will find therein appeals to the leading gentlemen in the city to stand by their posts and assist the Government by doing everything in their power to render the plague measures acceptable to the people. 'Do not complain but work' was the advice given, and if this is sedition, then the Anglo-Indian

vocabulary must be more comprehensive than the common English. . . . I know of a number of cases where persons were wrongly sent to the segregation camp or plague hospital, or their property was wantonly destroyed; and if the papers, which I publish, along with others, loudly complained about these grievances, it was because the Plague Committee could not, or would not, redress them. . . . Anglo-Indian journalists like yourselves can, I know, be hardly induced to take the right view of the question. But still I must state what I honestly believe to be the case, viz., that the unnecessary stringency of the plague measures and not the writings of the native press are responsible for the feelings of dissatisfaction referred to by you."

Tilak did really use moderate language in his criticism in his anixety to avoid embarrassment to the Government. Two Sardars of the Deccan, Balwant Rao Natu and Haripantha Ram Chandra Natu, who could not exercise the same amount of restraint, caused atrocious stories of the plague operations to be published in the British press through Gokhale who was in London then.

They complained, among other things, that a Hindu lady was assaulted by a soldier and one of the Natu brothers reported the matter to the authorities producing witnesses. No notice was vouchsafed. The soldiers were refractory and any complaint against them was regarded as obstruction. When a man fell ill many neighbouring families were taken to the segregation camp and left there without any covering to protect the body, their property at home including horses, cows, and sheep being left unprotected. A man was unnecessarily taken to the hospital and sent back as not being affected by the plague to find his furniture destroyed and his relatives forcibly removed and detained in the segregation camp. Temples were defiled by soldiers. Insult was the reward for the services of volunteers and their suggestions were treated with contumely. When Natu suggested that, Mohammedans being more sensitive about the privacy of their women, the services of Mohammedan volunteers should be availed of to search the Mohammedan quarter, he was told that his conduct was improper and his services, voluntarily rendered, were dispensed with.

The Natu brothers were arrested and deported without trial for two years under an old, obsolete regulation—the

Regulation XXV of 1827 of the Bombay Regulations, corresponding to the Bengal Regulation III of 1818—and their property was taken charge of by the Government. Gokhale too, on his return to India, found himself in trouble over the statement given by him for publication in the British press, and he had to tender an apology. The question was whether Gokhale was in a position to substantiate the statement he had made. He was, and yet he tendered an apology because his statement was based on information given to him by high-placed men, besides the Natu brothers, and substantiating it would have meant betrayal of his informants. Indian newspapers published Natu's complaints prominently. *Mahratta* commented: "Plague is more merciful to us than its human prototypes now reigning in the city. Every one of these grievances may be proved to the hilt if His Excellency is pleased to enquire into the details."

After the plague had well nigh disappeared, Tilak went to Sinhgarh for a short rest.

But Nature's most cruel drama, made more tragic by man, had yet to have its finale.

CHAPTER XXII

ARRESTED FOR SEDITION

EARLY in 1897, Tilak, through the columns of his two weeklies intensified his anti-Government campaign, and in doing so, invited the wrath of the Anglo-Indian press and the bureaucracy. They all demanded his prosecution and made it clear that nothing short of it would satisfy them.

The response that people gave to his call on the occasions of Shivaji celebrations assured Tilak that he could now expose the oppressive character of the British rule. It was in fact the cumulative effect of his writings which made the Government nervous. Therefore a proper appreciation of the Tilak of 1897 is impossible unless one gets an idea of the articles which eventually led to his prosecution and conviction. The following are the extracts from some of the articles.

"The British rule has compelled the helpless peasantry to leave their beloved fields and happy homes and resort to the dirty and overcrowded parts of Bombay. There they live in filthy huts, earn their bread by the sweat of their brow, and return to their native villages with savings only sufficient to meet the demands of the rigid system of land assessment. The bold peasantry of Maharashtra and the hardy race of cultivators in Konkan no longer shine in the army or navy of the land as in the days of the Peshwas. The dwarfing influence of the British Raj has turned the backbone of Maharashtra and Konkan, once forming the famous cavalry of the Deccan and the navy of Konkan, their country's pride, into mere servile class of field labourers, destined now to work like slaves for the luxuries of the omnipotent bureaucracy—luxuries far surpassing in vanity and folly the fabulous pleasures of the mighty demons of yore described by the most exuberent fancy of this land of poets." (*Mahratta*, May 23, 1897.)

"The Anglo-Indian dailies of the Presidency are publishing letters complaining of the dull inactivity of the Mahableshwar season this year. A dark gloom has spread over the yearly festivities of the merry-making foreigners—not because of

the famine, a calamity to the sons of the enslaved land only, not because of plague, a ghastly terror to the native populace only of Bombay and Poona, but because many of the rich Europeans of the metropolis thought it prudent to leave the shores of this infected land and seek refuge in the cold climate of their dear homes in England. It cannot be expected of them to take care of the interests of those that surround them. They are the great worshippers of gold and silver, fully conscious of the charms that lie hidden in the trite saying of Iago, 'Put but money in thy pocket'. The European merchants, toiling in the burning rays of the tropical sun to impoverish the country to the best of their abilities, were forced to resign temporarily in favour of the dire agencies of the angry God, the famine and plague." (*Mahratta,* May 30, 1897.)

"It is a pity that some of our Chiefs and Princes have greatly mistaken notions of loyalty. In their zeal for exhibiting loyalty to the Queen, they go so far as to forget themselves and the high position which they hold in their own land. The unworthy self-forgetfulness is clearly shown by the mania, which has seized some of our Princes, of going to England for the purpose of spreading their gay plumages before the eyes of the British public. The Queen's jubilee has afforded them only another opportunity of gratifying their vanity under the pretext of making a pilgrimage to the Queen's Throne. These uninvited guests are, of course, unwelcome; nor is even good grace or common courtesy shown by the host in receiving them. But in their eagerness to lick the dust of the Queen's feet, these Princes swallow ill-treatment and insults too. They invariably pay the penalty of thrusting themselves where they are not wanted; but we have seldom seen any of them taking a wholesome lesson for his future guidance. We feel extremely nervous about these Princes, when we imagine what insignificant atoms they must prove themselves to be in the crowd of the magnificent assemblage that will throng London in the Jubilee time. They will attract no notice, at least not a regardful notice. The Princes go before the independent British people, as perhaps the most humbled and whip-tamed of the conquered race of India. And if they catch any notice at all, it must be far from gratifying. The exhibition of the want of self-respect on the part of these Princes is made more glaring and also

ridiculous by the fact that they attempt in England all manner of pomp and deport themselves in an obstructive gay fashion. Reuter announces that the uniforms of the Natives excited much admiration, [and] we fear much irreverent amusement; and that the Prince of Wales 'inspected' them at the Marlborough House. This royal inspection, we think, scarcely means any other than the inspections of a circuswallah of his brutes in the menagerie or his fancy animals in their cages, preliminary to their being trotted out in the arena under the smack of the whip." (*Mahratta,* May 30, 1897.)

Then, on the Jubilee itself, Tilak wrote three articles in the *Kesari;* in two of these he examined how the British Empire expanded during the Queen's regime, and in the third, he depicted the conditions obtaining in India thus:

"There is a rule in our Science of Rhetoric that when Ravana has been described at great length, there is no need of describing Ram Chandra very much. To say merely that he conquered such and such an enemy does in itself give one an idea of the prowess of Ram Chandra. The same rule applies in the present case. If, after describing the vast dominions, commerce and the high position of England, it is told that India is one of the poor dependencies under the sovereignty of that people, intelligent readers will not require any more description. . . . Whatever be the reasons for the deterioration of this country, none can deny the fact that a hundred years ago eminent warriors, statesmen and politicians were born in this country, and if anybody possessed vigour, learning or intelligence, there was then full scope to be obtained for his development. But now not only have all these qualities been rendered useless by the superior lustre of the British rule, but disuse is leading to their extinction, and we are becoming so weak or lifeless that anybody may lord it over us or tyrannize over us all, or one might say we have already become so. Unfortunately we are having a daily experience of how the people of a country degenerate when continually pressed under the roller of foreign rule . . . Breaches of the peace did sometimes take place during our native rule, but the kind of courage and self-reliance which was kept up by these amongst the people has now entirely disappeared. It is true that Indian commerce was very insignificant before, but that means that all the articles needed by us were manufactured by us here. Things have under-

gone a complete change during the last sixty years, and matters have now come to such a pass that we send agricultural produce to England and take in English manufactures. It is simply a delusion that our trade has increased. Whatever be the increase in India's commerce, it must not be forgotten that we lose in it thirty-four crores of rupees annually. Appliances like railways, telegraph, and roads have increased, but all this is like decorating another's wife. Not only do they not belong to us, but we have to suffer annually a heavy loss in interest and exchange on their account. India will never prosper in this way. Old industries and arts have almost died out. Formerly, money-lenders alone used to tease the ryots; now both the money-lender and the Government equally trouble the cultivators, while no industry has survived except agriculture. The Native States are also being humiliated at every step and have fallen from the rank of allies of the British Government to the position of subjugated people; and none appears to possess any energy or vigour. In brief, the country which had some activity a hundred years ago, has now become completely helpless and poor." (*Kesari,* June 22, 1897.)

Then came the articles on Shivaji festival which were chosen for Tilak's prosecution. That year, owing to the plague, the festival was not held on the birthday of Shivaji, but on his coronation day, which happened to fall on June 13. On that day, and on the previous and subsequent days, a long programme of prayers, hymn-singing, sermon-preaching or *puran* and lecturing was gone through. A very condensed report of the proceedings, with a hymn sung on the occasion, was published in the *Kesari* of June 15.

The coronation festival commenced on June 12, and was brought to a close on the night of June 14. The temple of Vithal was decorated in excellent style. An image of Shivaji on horseback was installed and around it were arranged pictures of the hero drawn by various artists. Students recited songs in praise of Shivaji at the commencement of the festival. Professor Paranjpe read the *Puran.* He had for the text of his reading the story in the Mahabharat about the exasperation on his return home of the ambitious Suyodhana at the sight of the *Rajasuya* sacrifice performed by Dharmaraja, his thoughts in that connection and the conversation he had with Shakunimama and Dhritarashtra on the subject.

The professor, with a view to giving his audience a clear idea of the Rajasuya sacrifice, compared it with the Diamond Jubilee. The dissertation on how even a man in affluent circumstances prefers death to the indignity of being trampled under foot by his enemies, and how a discontented man secures co-operation and makes up for the lack of arms and missiles by his craftiness, and other matters, was specially impressive.

That very night a lecture on "The Killing of Afzal Khan" was delivered by Professor Bhanu under the presidentship of Tilak. The professor refuted the charge of 'murder' which English historians brought against Shivaji. How was it possible for Shivaji even to imagine how Afzal Khan, who had sworn an oath either to seize Shivaji and bring him alive or to kill him and bring his head to Bijapur, and who had on his way trodden under foot the Goddess of Tuljapur and the Vithoba of Pandharpur, meant really to deal with him? "How can English writers," he asked, "have the audacity to applaud Clive, and Warren Hastings who were incomparably inferior to the Maharaja, and whose careers were fraught with foul deeds? Even if the Maharaja had committed fifty more crimes more terrible than those which historians allege he did, I would still profoundly prostrate a hundred times before his image."

At the conclusion of the lecture, Professor Bhanu said: "Every Hindu, every Maratha, to whatever party he may belong, must rejoice at this festival. We are all striving to regain our lost independence, and this terrible load is to be uplifted by us all in combination. It will never be proper to place obstacles in the way of any person who with a true mind follows the path of uplifting this burden in the manner he deems fit."

Then Tilak, winding up the proceedings, said it was needless to make fresh historical researches in connection with the killing of Afzal Khan. "Let us even assume that Shivaji first planned and then executed the murder of Afzal Khan. Was this act of the Maharaja good or bad? This question should not be viewed from the standpoint of even the Penal Code or even the Smritis of Manu or Yagnavalkya or even the principles of morality laid down in the Western and Eastern ethical systems. The laws which bind society are for common men like yourselves and myself. No one seeks

to trace the genealogy of a rishi or to fasten guilt upon a king. Great men are above the common principles of morality. These principles failed in their scope to reach the pedestal of great men. Did Shivaji commit a sin in killing Afzal Khan? The answer to this question can be found in the Mahabharat itself. Shrimat Krishna's teaching in the Gita condones even the killing of one's teachers and kinsmen. No blame attaches to any person if he is doing deeds without being actuated by a desire to reap the fruits thereof. Shri Shivaji Maharaja did nothing with a view to fill the small void of his own stomach, that is, from interested motives. With benevolent intentions he murdered Afzal Khan for the good of others. If thieves enter our house and we have not sufficient strength in our wrists to drive them out, we should without hesitation shut them up and burn them alive. God has not conferred upon the mlechhas the grant, inscribed on a copper plate, of the kingdom of Hindustan. The Maharaja strove to drive them away from the land of his birth; he did not thereby commit the sin of coveting what belonged to others. Do not circumscribe your vision like a frog in a well; get out of the Penal Code, enter into the extremely high atmosphere of Shrimat Bhagvadgita and then consider the actions of great men."

The same issue of the *Kesari* published some Marathi verses, entitled "Shivaji's Utterances", which put the following inspiring speech into the mouth of Shivaji:

"By annihilating the wicked I lightened the great weight on the terraqueous globe. I delivered the country by establishing Swarajya and by saving religion, I betook myself to heaven to shake off the great exhaustion which had come upon me. I was asleep; why then did you, my darlings, awaken me? I had planted upon this soil the virtues that may be likened to the Kalpavriksha (one of the five trees of Indra's heaven which yields whatever is desired) of sublime policy based on a strong foundation, valour in the battlefield like that of Karna, patriotism, genuine dauntlessness, and unity, the best of all. Perhaps you now wish to show me the delicious fruits of these. Alack! what is this? I see the fort has crumbled down. Through misfortune I get a broken stone to sit upon. Why does not my heart break like that this day? Alas! Alas! I now see with my own eyes the ruin of my country. Those forts of mine to build which I ex-

pended money like the fall of rain, to acquire which fresh and fiery blood was spilled there, from which I sallied forth roaring like a lion through the ravines, have crumbled down. What desolation is this! Foreigners are dragging out *Lakshmi* (the goddess of wealth) violently by the hand [the word used here is *Kar* which also means taxes] and by persecution. Along with her, plenty has fled and after that health also. The wicked *Akabaya* (misfortune personified) stalks with famine through the whole country. Relentless death moves about spreading epidemics of diseases."

Below this was published a *shlok* which said:

"What misfortune has overtaken the land? How have all these kings become quite effeminate like those on the chess-board? How can I bear to see this heart-rending sight? I turn my glance in another direction after leaving with you a brief message . . . "

The shape given to the Shivaji celebrations of 1897, unusual as it was, had a disturbing effect on Englishmen, and their spokesman, the *Times of India,* began to attack the Shivaji movement. Letters were published in that paper suggesting that Tilak had probably in his mind quite a hostile objective in originating the festival. Sentences from the account of the celebrations as published in the *Kesari* were lifted, torn from their context, in support of the suggestion. Tilak's speech was tendentiously quoted in the letters, and it was hinted that he was trying to raise a rebellion. Repeatedly expressed was a dislike of Tilak, the Sarvajanik Sabha and the Shivaji festival. The *Kesari* (June 22), lamenting these slanderous attacks, remarked: "This is certainly the outcome of the adverse times that have fallen upon the whole country. . . ."

About the time the Shivaji festival was inaugurated, two brothers, Damodar and Balkrishna Chafekar, had formed an association for physical and military training which they called the "Society for the Removal of Obstacles to the Hindu Religion." They were impatient and actuated by an intense spirit of nationalism. The *shloks* which they recited at the Shivaji and Ganpati festivals were forebodings of the deed they were going to perpetrate but little did anybody believe then that the Chafekar brothers had really set themselves the task of killing white men and were prepared to die. At dead of night on June 22, Rand, whom everybody regarded

as a tyrant, his assistant Lewis, and Lieutenant Ayerst and his wife were returning from Victoria's Jubilee celebrations held at the Government House. Suddenly, someone appeared in the darkness, and without a moment's loss of time fired at Ayerst, mistaking him for Rand whom he had actually intended to kill. He at once discovered his mistake, and having made a resolve not to let Rand go alive that night, he next fired into the second carriage which was occupied by Rand. Rand instantaneously fell dead, and Ayerst succumbed to his injuries a little later, while on his way to the hospital.

A section of the Anglo-Indian Press, the *Times of India* and the *Bombay Gazette* being more prominent, saw a deep design in these murders. They found a pretext for these in the plague measures taken by the Government. That the Indian press denounced such measures confirmed their suspicion. That the murders took place on the day of a great world rejoicing proved to their satisfaction a deep conspiracy which could have been planned only by "educated cunning."

So intense was the feeling excited among the Europeans and Anglo-Indians that on the occasion of Rand's burial Sir Cowasji Jehangir, a Baronet and Sheriff of Bombay, was insulted and refused admission by the police at the cemetry. A Parsi lady, who had gone out of sympathy to put a wreath on the coffin was not allowed to go in. Punitive police was imposed on the Poona municipality. Almost every incident that took place in Poona was pressed into the service to support this theory of conspiracy, and an attack was commenced on the Indian language press and the educated Indians, perhaps unexampled in its virulence since the Mutiny; a Gagging Act was loudly demanded; the policy of imparting education to the Indians was questioned. The Press in England was worked, and the Europeans were thrown into a panic. It was suggested as a matter for regret that the "native mind" had forgotten the lessons of the last Mutiny, that a fresh Mutiny would clear the air, particularly as the Marathas were not in the show of 1857. It was insisted that the native press was seditious and was responsible for the murders, and a section of the Anglo-Indian press demanded punishment of Tilak, the man who had strongly attacked and denounced the measures of the Government.

The *Times of India* played the same part as the (London) *Times* did in the case of Parnell, the Irish patriot. The ball

was set rolling by a letter signed "Justice", published in its issue of June 19. On the 25th, the paper took the responsibility on itself of pronouncing Tilak's writing in general to be tinged with disaffection and found fault with the Government of Bombay for having upheld his election to the Legislative Council. On the 28th another letter signed "Shackles" was published, which distinctly hinted that Tilak had something to do with the Poona murders. The same issue contained a leader in which the charge was more explicitly made. The next day, on the 29th, in a leaderette, the Shivaji movement was condemned. On the 30th, in a note appended to a letter in defence of Tilak, the editor distinctly charged him with "deeper depths of disaffection."

When the *Times of India's* attacks showed no signs of abatement, Tilak wrote a letter to the editor in which he said: "Your continued malicious remarks about me and the journals published by me compel me to write this letter. I do not expect any praise from you, but I once believed the *Times*, under its present editorship, would at least be fair; but your recent articles have more than disappointed me in the matter. The shocking tragedy at Poona which we all deplore may have obscured your judgment. But I have little to do with your motives. What I want to show is that you have entirely misrepresented my position both as a journalist and a private gentleman during the time the plague operations were in force in Poona. I should have attributed this to your ignorance of the language in which the *Kesari* is published as well as of what was going on in the city at the time, had I not perceived a deliberate intention in your writing, as well as those of "Shackles" and "Justice", to pervert and misrepresent obvious facts at a time when they think they can do greatest mischief by such misrepresentations . . . . I think I am entitled to say that you are doing me sheer injustice by representing that either myself or my paper did anything to excite feelings of disaffection amongst the people. It was my firm conviction that stringent sanitary measures would do considerable good, if they would not stamp out the plague altogether; and I have not only expressed this conviction in the paper, but have done as much as a single citizen of my position could do to practically show how people should help themselves and not blame the Plague Committee for everything. But unlike yourself I could not shut up my eyes to

complaints and grievances which from personal knowledge I was convinced were real and well-founded . . . . All that I wish to urge is that it is a sheer mistake to believe that the native papers have excited the feeling of disaffection during the time of plague. Anglo-Indian journalists like yourselves can, I know, be hardly induced to take the right view of the question. . . . You have, it seems, chosen to follow in the footsteps of the London *Times* in making reckless charges at such a time against individuals, communities or institutions." (The letter was sent by Tilak to the editor of the *Times of India* on June 28, and appeared in its issue dated June 30.)

The protest was of no avail, and the attitude of the *Times of India* towards Tilak, his papers and institutions remained as hostile and defamatory as ever. It was a campaign, which the Anglo-Indian community thought must continue until Tilak's prosecution, and—as if they could dictate the course of justice—until his conviction. On July 5, the paper, in a long leader, attributed the murders to the *Kesari* and other Poona papers. On the 6th, another leader appeared asking Government to take action under Section 124A of the Indian Penal Code. These views, confirmed and expanded by the *Bombay Gazette,* which outstripped its contemporary in violence of language, and adopted without question by the London *Times* and some other influential journals in England, had the desired effect.

On July 9, Sir E. Ashmead Bartlett and Howell, members of Parliament, asked the Secretary of State for India what action he was going to take in respect to the nomination of Tilak "who had made speeches inciting" rebellion, besides "publishing attacks upon the British authorities." The next day Sir E. Bartlett repeated the question. Then the matter was taken up, strangely enough, by the Parsi knight, Sir M. Bhownuggree, who put a long question setting out at length an exaggerated version of the very report on which Tilak was subsequently tried, and asked "whether any steps have been taken by the local authorities to stop such systematic training of large numbers of people and students, and the incitement of them to such actions as had led to the assassination of Mr. Rand and Lieutenant Ayerst within a week of the last Shivaji celebration." The Secretary of State, Lord George Hamilton, believed that there was a plot to subvert British rule in

India. In his budget speech he traced all the trouble in Poona "to a clique, the descendants of those who had ever been hostile to British rule, and never lost any opportunity of stirring up discontent and disaffection against the authorities." Some retired Englishmen of the Indian Civil Service went to the extent of insinuating against the judges of the Bombay High Court. (They said that the judges were unduly merciful in dealing with the cases of erring editors.) The most outspoken among them was a former Governor of Bombay, Lord Harris, who in a letter to the *Times* (London) expressed surprise at the High Court's annulment of the sentence passed by the Presidency Magistrate on an editor for publishing an (allegedly) inflammatory poem. He suggested that the High Court was a supporter of sedition and inflammatory writing in the "native press" rather than an impartial tribunal of justice.

The Anglo-Indian newspapers in India and some British newspapers had already pronounced a judgment of "guilty" on Tilak. Considering the compactness of the Anglo-Indian society in Bombay, as in other parts of India, and the enormous influence these papers had over its members, nobody could question this judgment. Even Europeans of high culture, undoubted honesty, and fairness of mind were not in a mood to allow anybody to suggest anything that would upset their belief in Tilak's guilt.

Faced with this situation, and the *Times of India's* unrelenting attacks, Tilak went to Bombay on July 27 to seek legal redress against that paper. But there the same night he was arrested.

Tilak was staying with a friend, Daji-Abaji Khare in Girgaum. Just after the two friends had eaten their meal, a European police officer called at the house and told Tilak that he had come to arrest him. Tilak was not perturbed, as if nothing unusual had happened. The house was surrounded by a police force headed by Inspector Abdul Ali. Tilak was taken to the Police Commissioner who ordered him to be placed in the lock-up. An hour or two later, Khare went to the lock-up to console his friend, but to his great surprise found him fast asleep.

CHAPTER XXIII

BAILED OUT AT LAST

NEXT morning Tilak's counsel, D. D. Davar, applied for his release on bail to the Chief Presidency Magistrate before whom he was charged with sedition, and offered a substantial sum as security for his appearance at the trial. The Counsel made out his case very diligently, invoking English authorities to his support. The Magistrate, however, refused the application holding that the English authorities cited were not applicable in India.

An application for bail was then made to the High Court before Justice Parsons and Justice Ranade. They also turned down the request, contenting themselves with the assurance that so far as the police proceedings were concerned they would be finished in a short time. Later, when the police proceedings were over, and the trial did not begin, Davar made a second application, which unfortunately came up for hearing before the same judges, Parsons and Ranade; they again held that they saw no reason to interefere with the magistrate's decision, but allowed that the defence could apply again if it so desired. The hearing was being delayed, and Davar, therefore, made a fourth attempt to obtain his client's release on bail. This time the application, by sheer luck, happened to come up before Justice Tyabji, the Sitting Judge in Chambers. Davar pleaded on the affidavit of Tilak's solicitor, Bhaishankar, that his client would be seriously prejudiced in his case if he were not released on bail.

Arguments then began on behalf of the prosecution and on behalf of the 'accused'. For the Government it was argued that in reality the article upholding the murder of Afzal Khan was a covert incitement to murder. For the defence, it was pleaded that it was no more than a discussion of the ethical or moral character of the act. The second article—the verses which described an imaginary awakening of Shivaji from the sleep of centuries and represented him as lamenting in figurative language the decadence of Maharashtra—the Advocate-General contended, was addressed to the present generation and referred to the present Government. On the

other hand, Davar argued that Shivaji was addressing the people of his own generation, and that even if it referred to the present generation, it consisted of mere complaints against miscarriage of justice, which might or might not be true. In any event, he emphasised, the article was neither seditious nor meant to create disaffection. Tyabji heard Davar critically, at times questioning and cross-questioning him, testing the strength of his facts and law, "with no predilection in his favour". He then heard, with the same attention and patience, the Advocate-General who opposed the application. The Judge remarked that the charges, disaffection and incitement, were very serious, but they did not stand on the same level as murder or rape, and did not carry the same degree of moral turpitude for which bail was refused by the Court. Turning to the Advocate-General, he said: "You of course have no desire to be vindictive in the matter. What you seek is that the accused should be forthcoming at the trial; you wish really only to secure his presence." The Advocate-General assented. The judgment which Tyabji later delivered was now obvious.

He said that although the discussion of the application had taken some considerable time, it appeared to him that he could dispose of it in a very short time on grounds which were perfectly well recognized. He thought that all legislation in regard to the release of accused parties on bail was based upon the anxiety of the Legislature to secure the attendance of the accused at the time of the trial. The leading principle of jurisprudence was that a man was not to be presumed to be guilty. But at the same time another leading principle that the Judge had to bear in mind was that there ought not to be any miscarriage of justice by the accused absconding or not appearing when the case was called on for hearing.

Then he added: "The question I have to consider is whether I have any ground to believe that Mr. Tilak would not be forthcoming at the next criminal sessions when the case would be called on and whether there is any danger of his avoiding the trial; for if such is the case, then it is my duty to prevent such danger by keeping him in jail in order that the ends of justice might not be defeated. On the other hand, if it is absolutely or morally certain that the accused will be forthcoming at the trial, it will be contrary to the principle of

justice to keep him in jail till the trial came off."

In order to ascertain, the Judge went on, whether Tilak would be forthcoming or not, it was material, as it was pertinently pointed out by the Advocate-General, to consider the three leading questions; first, the gravity of the offence with which the accused was charged; secondly, the nature of the sentence with which he might be punished; and thirdly, the evidence which was before the court to see whether it was of such an overwhelming character that the accused must necessarily be convicted, and that in order to avoid the punishment he might not be forthcoming.

He then discussed the degree of gravity of the charge, the weight of evidence and the sentence which might be inflicted upon the 'accused'. Though the charge was of a serious character, yet it was not one which could by any means be put on a level with the charge of murder or rape which might carry an amount of moral turpitude. The question for consideration for the trying Judge and Jury would be whether the articles would bear the interpretation which was sought to be put upon them by the Advocate-General on behalf of the Crown or whether they were capable of an innocent explanation such as that which had been suggested on behalf of the 'accused' by Davar.

Tyabji felt that at that stage of the case it would be not only inconvenient but extremely improper for him to express anything like a positive opinion one way or another—extremely inconvenient, because when the accused was placed on trial it would not only materially affect his defence, but embarrass both the Judge and Jury who tried the 'accused'. Tyabji would not, therefore, attempt to enter into the merits of the case beyond what appeared to be absolutely necessary for him to consider in order to arrive at a conclusion whether or not there was some chance of the accused succeeding in establishing that the true construction of the articles was such as had been suggested on his behalf.

Tyabji then examined the articles, making it clear that he would do so "without, in the slightest degree, attempting to lay down that this or that is the correct view of the articles, simply with a view to seeing whether or not they are capable of the construction sought to be placed upon them by one side or another." He was very reluctant to express any opinion, but he did not "quite easily see" that it could be

shown that the verses supposed to have been uttered by Shivaji and addressed to his people did not refer to the British Government. The remarks appearing in the article, he added, about the administration of justice, enlargement of the spleen, outrages on railways, and drain of the wealth and such others, and especially the word *gora* (white man), which was in common parlance used for Europeans, appeared to the Judge to show that Shivaji was supposed to be addressing not the people of bygone generations, but the people of the present generation.

Still the Judge was not sure whether the words and expressions were of the nature which must necessarily bring about the conviction of the 'accused'. He was unwilling to express an opinion of that sort, but observed that it was capable of being argued that all that merely referred to general complaints in regard to miscarriage of justice which might or might not have taken place.

He, therefore, came to this conclusion: "Whether there is any justification for the charge I do not know, but, nevertheless, it is a question which seems to me to be pre-eminently one for the determination of the Judge who would preside at the sessions and the Jury who would have all these articles explained to them by the Judge, and who would have to bear upon them their own knowledge of the world, and also that evidence which would be adduced on behalf of the accused. The conclusion, therefore, I have arrived at is that the articles in question to which I have so unwillingly and reluctantly referred, and about which I desire to say clearly once more that I have no positive opinion one way or the other, are not necessarily of such character as to lead one to the irresistible conclusion that the man responsible for such articles must be convicted upon them."

He then said: "That being the case, I would be departing from a well-established principle upon which the courts acted if I order the accused to be kept in jail until his trial, which is to take place a month hence, and to handicap him from giving instructions to his solicitors even if these instructions were not given within the hearing of the jailor. I cannot believe that a gentleman in Mr. Tilak's position would not be forthcoming at the trial. On the other hand I can quite see that the ends of justice might be defeated if I refused to grant bail, for it is just possible that if he is imprisoned for a month,

it might ultimately be found that he was not guilty. I think, therefore, I should best exercise my judgment if I admitted the accused on bail."

Then, after consulting the Counsels on both sides, he ordered the "prisoner" to be released on bail on his own recognizances to the extent of Rs. 50,000, and two sureties of Rs. 25,000 each. The court gallery was crowded with Tilak's friends, followers and sympathisers, and as Tyabji rose, the people cheered vociferously, and the Judge had to reprimand them. He said that no demonstration in Court was permissible. There was jubilation all around, and people praised Tyabji as "a Daniel come to judgment", and condemned Ranade, who twice rejected Tilak's application. There was such excitement and prejudice, such danger of an Indian Judge being misunderstood, that it was largely believed and openly expressed that perhaps no other Indian Judge would have had the courage or the confidence in himself to act as Tyabji did. People in England, whose feelings had been terribly worked by press and parliamentary utterances, were also taken by surprise. It was one of the most important news for the Empire press, and the first telegram to appear in the British press in England was: "Mr. Justice Tyabji, presiding in the sessions, released Tilak on bail."

Tilak was made to wait in the Prothonotary's office till the bail amount was produced. Dwarkadas Dharamsy was taking an interest in the defence. In a short time he produced the necessary amount and Tilak was allowed to go. Chimanlal H. Setalwad, one of Tilak's renowned political co-workers and later a Judge of the High Court, took him in his carriage to Girgaum where he was staying with Daji-Abaji Khare.

After the court adjourned, Tyabji, as usual, walked homewards along Queen's Road. A father walking with his son nudged him, whispering, "That is Badruddin Tyabji, the great Judge, who had the courage to release Tilak on bail."

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CHAPTER XXIV

"NOT LOYAL TO THE QUEEN"

On Wednesday, September 8, opened the memorable Tilak trial in the High Court of Judicature at Bombay before Justice Strachey. The Court room and compound were packed to capacity; the people were agitated, though a little reassured by the judgment of Tyabji. The prosecution was to be led by the Advocate-General, Basil Lang, who appeared in the Court accompanied by his assistants Macpherson and Strangmann and also the public prosecutor Nicholson. Pugh, a renowned lawyer of Calcutta, headed the defence contingent which included Davar and solicitors Bhaishankar and Kanga. Pugh, who hailed from Wales, was engaged for the defence by the Calcutta Indian Relief Society.

Exactly at 11 A.M. Strachey occupied the presidential chair, and the proceedings began in a solemn atmosphere. The Clerk of the Crown called upon Tilak to surrender to the bail and the "prisoner" went into the dock. The Clerk then read the charges under Section 124-A:

> "That you, Bal Gangadhar Tilak, proprietor and publisher of a certain vernacular newspaper entitled the *Kesari*, by words intended to be read excited and attempted to excite feelings of disaffection to the Government established by law in British India, by publishing in Bombay, in the issue of the said newspaper of the 15th day of June, 1897, certain articles under the heading, 'Shivaji's Utterances,' and certain paragraphs, and thereby committed an offence punishable under Section 124-A of the Indian Penal Code."

The special jurors were then called. Some of them were challenged by the Crown, and some by the Defence. Eventually nine persons empanelled to serve upon the Special Jury—six Europeans, two Hindus and one Parsi.

At the outset the Advocate-General read out the text of Section 124-A which ran as follows: "Whoever by words either spoken or intended to be read, or by signs, or by visible representation, or otherwise, excites or attempts to excite

feelings of disaffection to the Government established by law in British India shall be punished with transportation for life, or for any term to which fine may be added or with imprisonment for a term which may extend to three years, to which fine may be added." There was an explanation annexed to this section: "Such disapprobation of the measures of the Government as is compatible with a disposition to render obedience to the lawful authority of the Government and to support the lawful authority of the Government against unlawful attempts to subvert or resist that authority is not disaffection."

The Advocate-General contended that through the articles which formed the subject matter of the charge, Tilak really "intended to excite disaffection towards the British Government among his countrymen and to seek to overthrow the present Government." He said that it had consistently been the policy of the *Kesari* "to induce the people to become like Shivaji, and like Shivaji free themselves from those who were at the present time oppressing them," and in order to prove his contention read an article which appeared in the issue dated May 4, 1897. This was not an editorial article, but a 'letter to the editor', and therefore Defence Counsel Pugh objected to its being put before the Jury, and the Judge accordingly asked the Jury to put it "entirely out of your mind for the present". It showed up prosecution's anxiety to bring forward all manner of material to secure conviction.

All this time Tilak was standing in the dock, and Pugh asked the Court that 'the accused' might sit behind him (Pugh) to give his instructions. This was allowed, and Tilak then left the dock and took his seat immediately behind his solicitors.

The Advocate-General admitted that no articles like these would in any way affect the British rule which was so firmly established, and that there was no chance of articles like these creating disaffection in the country. But then his argument was: "That is no answer to the charge at all. In fact, if you are of opinion that these articles are calculated to excite disaffection it is no answer to the charge to say that it is not likely that the disaffection caused thereby can be of a very serious nature, or that it would be productive of very serious consequences. But I would submit to you that you must take into consideration the fact that it is quite possible that at any

time a European war breaks out, and when all the resources of the British Government are required, it is quite likely that articles of this description, which are calculated to spread disaffection and which are read over a large portion of the country, may prove serious."

Here again, when the Advocate-General referred to articles in the *Kesari* and the *Mahratta* other than those which were basis of the charge, Pugh interrupted him. An argument ensued between the counsels of the two sides, and the Judge said that "it has always been held in trials for libel, whether seditious or not, that extracts from the same paper of either an earlier or later date might be put in to show the animus with which the article is published." Even if such articles as letters to the editor did not represent the views of the editor and publisher, "prima facie the accused inserted them and disseminated them, and prima facie he is responsible for so doing." This ruling of the Judge expanded the scope of the charge, and the Advocate-General had now a wider field to take accusations from. He read out to the Judge and the Jury a number of earlier articles appearing in the two papers and contended that "they draw unfavourable comparisons between the condition of the Mahrattas of the present time and of Shivaji's day and are meant to excite people against British rule. These articles would be useful to you in showing the animus of the prisoner against the British Government. Even those native princes who went to England to attend the Jubilee are held up to ridicule in this paper."

He also referred to the articles on plague and asserted that "there can be no doubt that this paper was actuated by animosity to the British Government to which full expression has been given in the article dealing with the Shivaji celebration."

The Advocate-General, now that the Judge had permitted reference to other articles, went over to the 'letter to the editor' reference of which had earlier been omitted. The letter was on the festival of 'Shri Rama Jayanti and Shri Shiva Jayanti', and was signed by one 'Ganesh'. The Advocate-General considered this article as "very important in many respects". Explaining it he said: "First of all, it begins by referring to the story of the Ramayan. It shows how the Brahmins were being persecuted. The whole article refers to the constant complaint which is made in present

times with regard to the British Government, that the Government is persecuting the Brahmins. Certain Brahmins of Wai refused to obey the order of Government and were prosecuted and afterwards imprisoned. This is held up to the people of India as oppressing the Brahmins. The article also referred to the fact that the kine were slaughtered. The paper takes care to inform the public that the tyrant who is oppressing the Brahmins and is slaughtering the kine lives in a small island; the reference is obvious. Ceylon is likened to the British Isles. This tyrant having oppressed the Brahmins, the story goes that Rama, with the assistance of Maruti and aided by monkeys, turned Ravan out. Then it goes on to show how Shivaji followed the example of Rama, and then we come to this passage: 'It is therefore my wish to see that all Hindus shall at the time of the Shiva Jayanti think over and cogitate upon the doings, the courage, the firm resolve, and the ingenuity of Shivaji, and instead of supplicating the authorities for protection lay all their complaints before God and lovingly implore Him and perseveringly ask Him to create among us a Shivaji similar to this.' "

The Advocate-General then offered this interpretation: "The whole object of this article is to show the advantages of the celebrations and what people should do when they are celebrating them. A Shivaji must come out to establish Swarajya in India replacing those who are oppressing the Brahmins and slaughtering the kine."

He invited the attention of the Jury to the following sentences in the letter: "Will the remembrance of the following things, viz., the present famine, the arrangements made regarding it, the deaths brought on by the politicality of Government, the epidemic of fever, the oppressive measures resorted to for its abatement and effects produced by them, be kept alive by meditating upon them?" He contended that there was no doubt that this article had reference to the present time, and that there was little dispute that it showed what the objects of the Shivaji celebrations were.

He drew attention to another article to lend support to his contention. It was entitled "Hero Worship", and published in the *Kesari* of June 1, 1897. He read a small portion of it which said: "As Europeans are proud of the inspired writings of Dante, Shakespeare, Goethe, and other poets and do not fail to manifest their devotion for them, so our love and res-

pect for Kalidas, Bhavabhuti, Moro Pant, Tuka Ram, and other great Sanskrit and Marathi poets as heroes have not disappeared from our minds. Not only this, but what is more, we forgot great heroes like Shri Shivaji Maharaj, and in consequences of hero-worship in matters political getting gradually extinct, we have utterly lost all these things, namely, the political impressions which would have been produced upon our minds, the feelings and emotions which would have predominated in our hearts and the political education which we would have easily received by coming in contact with the high personages in the history of Maharashtra."

The Advocate-General argued that in the course of all these articles Shivaji was referred to as a person who freed his country from foreigners, drove out the Mohammedans and established Swarajya, the rule of the Hindus over a large portion of the country. He asked the Judge and Jury to remember this in considering the allusion to Shivaji in the various articles which he placed before them. "The real objects now of the Shivaji celebrations—whatever they were in the beginning—are to excite political feelings in the minds of a certain class of people."

Then he came to the articles which really constituted the charge, that is, "Shivaji's Utterances", and the report of the Shivaji festival. His arguments mainly centered round two points: condemnation of the British rule made through an imaginary utterance of Shivaji was wholly unwarranted; and violence was preached to end the British rule. He argued that the British rule was not oppressive, and that it was untrue to say, as the article "Shivaji's Utterances" did, that the white men, in cases between them and "the natives", escaped without punishment by urging meaningless pleas. The reference in the article was to one Fagan who had caused the death of an Indian woman, "mistaking her", as the Advocate-General maintained and as Fagan had himself alleged, "for a bear". In the opinion of the Advocate-General, "there is no section which would punish any man for an act of that description". There were any number of cases in which Indians were severely beaten to death by Europeans. Reference to this fact in the article was explained by the Advocate-General thus: "Occasionally there have been cases where natives have been struck by Europeans with blows, which were never intended to cause death and which, under ordinary circum-

stances, would never have proved fatal; but owing, probably, to the weak state of health of the persons struck, these persons have fallen down and ruptured or enlarged their spleens and death has ensued". Therefore, the Advocate-General would have the Judge and the Jury believe that the question asked in the article—"How do these white men escape urging these meaningless pleas?"—was an attack on the British sense of justice.

Again, said the Advocate-General, there was this significant sentence in the article that in the times of Shivaji "a thousand swords would have leapt from their scabbards", and then the article stigmatized the people of the country as eunuchs because they had endured British oppression. "That does not look like passive redress", the Advocate-General suggested. "Do you think, gentlemen, that the drift of the person who has stigmatized the people as eunuchs is merely to suggest the persons who read these articles that they are to apply to the proper authorities by representation for the redress of their grievances? Then, there is the suggestion made in the article—'he is fond of pleasure; deprive him of his power'. Gentlemen, the question for you to consider is whether writing of this description addressed to the Hindus is not calculated to excite in them feelings of disaffection, dislike and ill-will to the British rule. Do you consider that these words can be construed as merely disapprobation of the measures of Government?"

The Advocate-General next took up the article which was a report of the Shivaji celebrations, and after suggesting that Professor Bhanu and Jinsivale's speeches definitely asked people not to be contented under the British rule, read to the court two passages from Tilak's speech:

(1) "Did Shivaji commit a sin in killing Afzal Khan? The answer to this question can be found in the Mahabharat itself. Shrimat Krishna's teaching in the Gita is to kill even our teachers and our kinsmen. No blame attaches to any person if he is doing deeds without being actuated by a desire to reap the fruit of his deeds. Shri Shivaji Maharaja did nothing with a view to fill the small void of his own stomach. With benevolent intentions he murdered Afzal Khan for the good of others. If thieves enter our house and we have not sufficient strength in our wrists to drive them out we should,

without hesitation, shut them up and burn them alive".

(2) "It is no use making fresh researches into the question of Afzal Khan's murder. Let us assume that Shivaji did murder Afzal Khan."

On these, the Advocate-General offered the following comment: "I ask you to consider whether this is an entirely historical reference to the particular incident of the murder of Afzal Khan by Shivaji or whether it was intended to apply to the present time and whether he did not intend to suggest to his hearers that they would be perfectly justified in acting with reference to those who are the present rulers of the country as Shivaji acted with regard to Afzal Khan."

Next, he discussed several other articles in the *Kesari*, on plague, on princes attending the Queen's Jubilee, on progress made by the British empire during Victoria's regime, etc. and said: "I do not think you will be of opinion that in any of these articles there is anything that shows the slightest loyalty of the prisoner to the British Government or the Queen. I do not say that any person is not justified in writing and suggesting that the condition of India has not improved during the British rule. What I say is this that you cannot regard these articles as showing that the prisoner is a man of such loyalty that it would be unlikely and wrong to punish him for the offences alleged against him."

He regarded the article on the princes as "couched in the most insulting terms to those Indian princes who had taken the trouble and expense of going to England to attend the Jubilee. That shows really the view the prisoner took of the Jubilee."

He concluded his speech seemingly with a note of detachment:

"If you are satisfied that these articles are merely expressions of disapprobation of certain measures of Government which are perfectly compatible with the desire to render assistance to Government or obedience to the orders of Government, that the article 'Shivaji's Utterances' is merely a historical dissertation upon Shivaji and upon certain acts which he did, then you will find the prisoner not guilty; but if, on the other hand, you are of opinion that the articles bear the interpretation which I have suggested to you they do bear, then, I think, you will be of opinion that they are

articles which are calculated to do infinite amount of mischief in this country. If you are of this mind, I am perfectly certain you will, without hesitation and unanimously, come to the conclusion that the prisoner is guilty."

CHAPTER XXV

DEFENCE ARGUMENTS

TILAK had no desire to break away from outward conformity with British rule. Political ideas had yet to travel a long way and people had not yet picked up so much patriotic zeal as to enable a leader to mobilise them for a defiant blow at the British authority. One could think of arousing national consciousness only within the confines of the law, and whenever one touched the border line which separated criticism of Government from 'sedition', there was risk of facing a prosecution. The law of sedition was elastic, and conviction or acquittal largely depended upon its interpretation, one way or the other. The bureaucratic authorities, as a rule, never relished criticism, and when criticism transcended a certain degree of toleration, it was characterised as sedition, and legal aid was sought to punish it. There was a difference between the criticism offered by the common run of politicians of that age and that offered by Tilak. They criticised the bureaucracy mildly and in measured words, in order to bring home to Parliament the fact that better administration could be secured if Indians were associated with it. There was no question yet of asking for reforms which would eventually liquidate British rule and replace it by Indian. Tilak, on the other hand, gave rise to a school of thought, which exposed the British rule with the object of infusing nationalism in the people so that in course of time they would demand and be prepared for the supplanting of that rule. His criticism of the Government therefore, basically differed from that of other leaders of the time. It was a striking departure from conventional politics; striking even to the Judges who had the same mental picture of Indian politics as their compatriots who sat in the executive chairs. That mentality largely influenced the decision as to what was sedition and what was not sedition. What to Tilak was preaching of patriotism was sedition to Englishmen and their Indian henchmen. The demand for self-government, as Tilak himself remarked in later years, was sedition in the nineties of the last century, but quite lawful two decades

later. In 1911, in his book *India Under Curzon and After* Lonat Fraser said: "There can be no doubt that the passages for which Mr. Tilak was first imprisoned were comparatively so innocuous that no Jury would now convict him for them". Tilak's writings then caused a great deal of irritation and uneasiness to Anglo-Indian newspapers, bureaucrats, and rulers in England, but twenty years later, they became accustomed to swallowing more bitter stuff. This factor largely affected the course of justice.

Tilak believed that it was his right to prepare people for self-rule and that in doing so he did not break the law. He did not believe in walking into the jail without offering all possible resistance at the trial. Therefore, unlike the practice followed under Gandhi's leadership, he valiantly fought his battle at the court; he even called to his aid Marathi grammars to prove that the English translator of his articles, ignoring the grammatical rules, put a meaning on them which was not borne out by the text. He spared no efforts to secure his release, but was that possible under the circumstances of the age and from a court whose constitution hardly left any doubt that Tilak would be convicted? An idea of these circumstances, as given above, should facilitate the understanding of Tilak's defence which was conducted by Pugh, the eminent lawyer. At the very outset of his speech, Pugh said:

"I am sure that I am rising to address you with a very great feeling of responsibility, not only with regard to the position of my client and the punishment to which he is liable supposing he is found guilty of the charge, but also because it is a very grave thing when you have to stand up and meet the charge which is preferred by the Government of the country against one of its subjects."

Pugh told the Court that his client's trial at Bombay had definitely put him at a disadvantage. "The accused lives at Poona. The paper is published at Poona. Marathi is the language of Poona. Marathi is the language of the Court of Poona. Here it is not so. We are here in Bombay, in this extraordinary position; you, Gentlemen of the Jury, find it imposed upon your attention that which I should have thought would have been much better left to a Poona Jury or to the Jury of some place where Marathi was the language of the court. Here now you have this extraordinary position: the majority of you, Gentlemen of the Jury, as I understand,

do not know Marathi. The learned Judge has told us that he does not know Marathi, and he has grave doubts with regard to what the proper meaning is of those Marathi terms that have been laid before you and relied upon by the prosecution." Pugh stressed the fact that the Advocate-General had asked the Jury to convict Tilak of an offence for which he was liable to transportation for life upon the disputed reading of some Marathi passages which the majority of the Jury did not understand. He said that the construction based by the Advocate-General upon the articles in question was erroneous and unjustifiable.

He proceeded to prove that the original translation done by the Government translator suffered from serious mistakes, and that it was purposely made stronger than the text. The Government of India, he suggested, had no intention of launching this prosecution, for if they had that intention, they would not have waited for over a month to decide upon prosecution. The fact, Pugh pointed out, was that the Government in England was much exercised over the repeated articles appearing in the *Times of India* against Tilak and his paper, and they sent a mandate to have the matter cleared, and the result was this trial. The whole matter, Pugh further suggested, was put in the hands of the Government translator to dig out from the *Kesari* any matter that could be punished under section 124-A. That explained why the Government translator's rendering differed materially from the the one made by the Court translator. And then even the court translation differed from the literal translation. The court translator seemed to err in places where he seemed to have lifted, for the sake of convenience, some passages from the Government translation. "For instance," Pugh said, in both the translations, appears at one place the "mark of interrogation whereas the interjection mark only appears in the original. That gives greater force." This was tampering with the text.

Pugh then came to the 'incriminating' articles. He took up first the one entitled "Shivaji's Utterances" which was in the form of a shloka. "You all know perfectly well", he said, "that poetry is judged in a different way from prose. A poetical effusion calls upon the people to rise in arms. But in such a case far more latitude is allowed than would be allowed in a well-considered essay which has been issued to

the people, and that is so all the world over."

He made out a significant point when he said that "Shivaji's Utterances" had not seen the light of the day for the first time in the *Kesari*. It had for many years been part of a book, which had been on sale even at Government book depots.

Then he dealt with the article verse by verse. "Having destroyed the wicked," one of the verses said, "I greatly lessened the burden of the earth." This was differently rendered in the literal and free translation; in the latter the word "earth" was rendered as "terraqueous globe".

Then, the sentence "I delivered the country by establishing Swarajya and by saving religion," Pugh contended, was harmless and only suggested that Indians were proud of their country, their ancestors and their religion. Similarly no objection could be taken to the suggestion made by 'Ganesh' in his letter to the editor about the appearance of another Shivaji. "It does not mean that when a man wishes that another Shivaji should appear that he wishes Shivaji to reappear and head the rebellion against the British Government. If he re-appeared he should act according to the altered circumstances which we see depicted in the coronation articles."

Continuing, Pugh said: "The evil that Tilak is deploring is with regard to the plague, the people going away, running away and leaving their countrymen helpless. Regarding administration, he says, if there were men like Shivaji in the present time they might be loyal to the Government and the Government would recognise their merit and would give them a larger share in the management of their affairs. This is perfectly right and not wrong; this is perfectly consistent with absolute loyalty to the supreme power."

Pugh read out another verse—"Alack! what is this? I see a fort", etc. and said: "That is, the people are degenerate and they ought to be in a far better position than they are now. Putting a liberal construction upon this passage, I can say that even apart from its being a poem this line can be said to convey no disloyalty."

Then, there was the passage which referred to "dragging away of Lakshmi by the hand", and which in the free translation was rendered as "the foreigners are teasingly and forcibly dragging Lakshmi by the hand". Pugh's comment

on this was: "If you look in any Anglo-Indian papers at the present time, you will find it that there are heart-rending complaints increasing from day to day with regard to the expenditure of the war on the North-West Frontier. You all know it generally gives you cause for anger, and you write things for which you would be sorry the next moment. You remember, also, that at the time of the Chitral Expedition many of the very prominent Englishmen whose loyalty was perfectly undoubted said rightly or wrongly: 'You are spending money here which the country cannot spare, and it will draw you into further expenditure, and eventually expenditure of such a nature which the country will never be able to stand.' I am putting that to you because the Advocate-General has admitted that it is not sedition to say 'India is getting poor'. How is it then sedition if you say 'Lakshmi is being dragged by the hand'. With regard to the income tax there is unanimous discontent amongst Anglo-Indians and natives at the present day. We say to Government, 'You ought not to spend so much money and ought to do without this burden of taxes'; whereas Government say, 'We cannot do without it; and we cannot spare it'. In other countries you will find these complaints about taxation. You are perfectly familiar with this at home, but no one is ever charged with sedition for blaming the Government for spending money out of the country for the purpose of foreign warfare. No one would for a moment say that these 'Shivaji's Utterances' are seditious. Shivaji is supposed to be looking down upon us. You have allowed his fort to crumble down. With regard to his own people he says: 'Foreigners are taxing the country and they are taking away the wealth out of the country.' I do not ask you with regard to these sentiments to agree with him. Neither shall I be able to agree with him myself. But it is not the question whether we agree with the sentiments, but whether the sentiments have promoted rebellious feelings in the people so as to make them rebel when the opportunity arrived."

Another verse in the article referred to Mavlas, about whom Shivaji said they were "my second life", and now "they eat bread once a day." That again, Pugh said, was sentiment which one heard expressed in different places. It was to be heard in the House of Commons, it was to be heard elsewhere. "It seems to be the position which is freely estab-

lished that the lower orders in this country are very insufficiently fed,—at any rate according to the European ideas. That is the complaint that you continually find urged by persons, rightly or wrongly, by those whose motives are above all suspicion of disloyalty."

Pugh saw no objection to the suggestion in the article that between Europeans and natives justice was not administered. But the fact could not be denied that it was often said that there was every now and then failure of justice particularly when a European came before a European jury. He did not suggest that there was the slightest ground for suggesting that when a European came before a European jury he was wrongly let off by his fellow-countrymen, but it could not be denied that it was a subject upon which there was general complaint, whether in Bombay or on the Bengal side. Particularly referring to the Fagan case, he said that "to fire a gun, to pull the trigger should be done with very great care in order to see what the man was firing at". Therefore he put it to the Jury that the criticism made by his client was justifiable and that it was a perfectly justifiable position for any man to take up.

Then, there was the argument of the prosecution in which it was asserted that the words "Get that redressed" meant it was to be done by the sword. Shivaji simply asked, "You miserable creatures, how do you endure this?" "There was," Pugh said, "no sense of retaliation in this. I cannot," he added, "conceive it possible that you will convict a man upon some word here and there, the meaning of which is disputed and is read not in his own language, but in a court where that language is not spoken and where neither the Judge nor the Jury nor the Counsel understand it."

The advice Shivaji was made to give, Pugh argued, after expressing those grievances was wholly inconsistent with the idea that this was published to create rebellion. Tilak at the time he published the Jubilee articles saw the enormous power of England, and therefore could not incite the Marathas to rise against England. For himself rebellion would be the absolute end of all his hopes, whatever hopes he may have had. Shivaji's message was contained in the words "over whose vast kingdom the sun never sets. Give my compliments to those rulers who are my good friends. Tell them 'how oh how, you forgot that old way of yours, when taking

scales you made sales in the warehouses." This, Pugh emphasised, was a genuine sentiment, and in accordance with the teachings of history. Shivaji was friendly with the English, and it was equally true to say that the English were originally merchants in the country. The reference to the fact that Shivaji had power to send the English back to their country was also at that time correct; for the English were in most places small traders and a mere handful. "I ask, where is the sedition in this?"

Then the Counsel came to the article which purported to be a report of the Shivaji celebrations. He complained that while the Advocate-General had read a considerable portion of the article, he omitted to read a great portion of it which dwelt upon the athletic games. He called attention to the presence of Professors Bhanu, Paranjpe, and Jinsivale, who were all Government servants and whose speeches, as summarised in the *Kesari*, were found by the Advocate-General to be seditious.

At this stage, the Advocate-General, intervening said, "My friend is wrong; they are not in Government employment."

Pugh: "I am obliged to my friend for the correction. My mistake was a matter of degree. They are professors in state-aided colleges. I do not think I need put it to you, you can hardly conceive of Government making a grant to colleges, the professors of which are known to be preaching sedition. They attend a public meeting and are reported to have preached sedition. They are not called to account and no notice is taken of them. This seems to me a very remarkable thing."

It was also significant, Pugh pointed out, that the *Times of India* attacked only Tilak and did not take any notice of Bhanu and Jinsivale. Great stress was laid by the Advocate-General on Tilak's own speech in which he had said: "You must not judge Shivaji or great men like him from the standpoint of the Penal Code." But Tilak also referred to the Smritis of Manu, Yajnavalkya or the principles of morality laid down in the Western and Eastern ethical systems, and there was not a shadow of doubt, Pugh told the Jury, that Tilak was not speaking in any way in regard to the present day, but in regard to an old hero like Shivaji.

Pugh drew attention of the Jury to festivals observed in Britain. He said: "There was no doubt a great jubilation over Shivaji; just in the same way as any of you, Gentlemen of

the Jury, who are Scotchmen, would have done while celebrating the memory of Bruce and Wallace in Scotland, in India or anywhere else. I myself have had the honour of attending these festivals, and I know that many things are said which to the outsider do not seem to be justified in considering the political position of Scotland at the present day. In my own country, Wales, we have also such festivals—the names of which are as difficult to pronounce as any Marathi word that has been called into question here. They are marked with great enthusiasm, but a good many Englishmen think that we talk a great deal of nonsense there. We like to do it, and I daresay we shall continue to do it. We like to keep up the spirit of patriotism which we desire to cultivate amongst our people. Whatever view may be taken with regard to Home Rule all round and Home Rule for Wales, no one can deny that the Welsh people are perfectly loyal and shall remain so; the same may be said of the Scotch also."

In Pugh's opinion the movement for the celebration of the memory of Shivaji was instituted entirely upon the Western model; that was shown in an article in the *Kesari* dated June 1, 1897, entitled 'Hero-Worship'. That article, he said, was materially a sort of resume of Carlyle's *Hero-Worship*. There was in it nothing more than what Carlyle had said. He saw no objection in the sentence, occurring in the article, to which the Advocate-General took exception: "Under foreign rule, the political festivals have stopped, and it is natural that these should stop." All that the writer intended to convey was that the people had fallen under decay.

Summing up his arguments, Pugh examined the intention of the framers of section 124-A. He called attention to the speech of the Member of the Viceroy's Council who introduced the Bill in the Legislative Council in 1870. The Member had said: "Nothing could be further from the wish of the Government of India than to check in the least degree any criticism of their measures, however severe and hostile, nay, however disingenuous, unfair and ill-formed it might be; so long as a writer or speaker neither directly nor indirectly suggested or intended to produce the use of force, he did not fall within this section." There was yet another passage in the speech worthy of mention: "The question of trial under this section would always be as to the true intention of a speaker or writer, and this intention would have to

be inferred from the circumstances of the case. The most bitter and unfair criticism published by a newspaper in the common course of its business might be perfectly compatible with the absense of any intention to advise resistance to lawful authority."

After reading out these passages, Pugh told the Jury emphatically that the Member "expresses my views much more clearly than I would myself express them".

He appealed to the Jury not to regard Tilak's criticism as an exhortation to his people to rebel. He referred to an article which had recently appeared in the *Fortnightly Review* against famine by an eminent Civilian, who said that famine could have been prevented by the Government. It had not applied the Famine Fund to the purpose for which it was intended. In dealing with the Army in India, the writer said it was much larger than was required for peaceful purposes, and that the British Government ought to make more liberal payments to this country. English editors decried the Frontier Policy and expeditions with which England was more concerned than India, and it was therefore justly demanded that England should pay the expenditure. When the English editors expressed their views thus, Pugh said, they were loyal, "but the moment a man like Tilak expressed a similar opinion, it was sedition; it was disloyalty."

In conclusion, he addressed these words to the Jury: "I ask you, Gentlemen of the Jury, the majority of which are my countrymen—I ask you to dismiss all the prejudices in this case and consider the case fully upon its merits. And I will say if you will do that, you cannot, as I put it to you, come to any other conclusion but that you have here an honest man before you, who might perhaps have said things, but who never for a moment intended to preach disaffection against Government. And you must remember this. It is the case of a native today; it may be the case of a European tomorrow, as it has been before. You will read in the papers that this is a case of the greatest importance, that the eyes of England and the eyes of the world are upon us to see what we are going to do. It is indeed a very important case, and I ask you to consider the matter without prejudice, and make up your minds upon the evidence before you; and it is impossible, under the circumstances, that you should give a verdict of guilt."

CHAPTER XXVI

GUILTY OF DISAFFECTION

On September 14, the excitement of the people who crowded the court room and the compound changed into solemnity. The arguments on behalf of the prosecution and on behalf of the defence were over, and it was now the Judge's turn to address the Jury. He began thus: "The accused, Bal Gangadhar Tilak, is here arraigned before you upon two charges. He is charged, in the first place, with having excited feelings of disaffection towards the Government established by law in British India. He is also charged with having attempted to excite feelings of disaffection to Government established by law in British India, and he is charged with doing these things by means of certain articles appearing in a newspaper called the *Kesari* of the 15th June of this year."

In order to establish the applicability of section 124-A to the case, beyond any doubt, the Judge recalled a judgment of the Chief Justice of Calcutta in which it had been held that not only the writer of the alleged seditious articles, but whoever used in any way words or printed matter for the purpose of exciting feelings of disaffection to Government was liable under the section, whether he was the actual author or not. The Judge agreed with this interpretation, and proceeded to deal with the case on this basis.

The *Kesari* was a widely-read weekly, and was in a position to influence public opinion. "It has a considerable circulation," said the Judge, "having six or seven thousand subscribers, not only in Poona, but in many other places, including Bombay". And, for this reason, he held that it was entirely within the discretion of the Crown whether they instituted proceedings at Poona or at Bombay, "and they were perfectly justified in using that discretion and instituting the prosecution in Bombay, if they considered that course in the public interest."

Dealing with the objection of the defence in this respect, the Judge observed: "It was said that in Poona there would have been a Marathi-speaking Jury, who could have under-

stood better than the Bombay Jury the terms used in these articles. But this is a mistake. If the case were tried in Poona it would have been tried only by a Judge, assisted by Assessors. But the Assessors' verdict is not in any way binding upon the Judge, and if the case had been tried there, there would have been an appeal to this Court from the decision of the Poona Court. This course would have been very inconvenient, and it was desirable to have the trial at a more convenient place. Besides, Poona was in a state of excitement. Here we have a calmer atmosphere. This is a most important case. It is the second case of its kind that has been brought before a Jury in India, and the first in this Presidency."

The other case referred to by the Judge was tried at Calcutta in 1891 by the Chief Justice, Sir Comer Petheram, and he was the first to interpret section 124-A which, though added to the Indian Penal Code in 1870, had till then remained a dead letter. Therefore Judge Strachey thought it convenient to guide himself by the ruling of Sir Comer Petheram. The question was: what was 'disaffection'? And the present Judge said that disaffection meant simply the absence of affection. It included hatred, enmity, dislike, hostility, contempt, and every form of ill-will to the Government. In his opinion disloyalty was "perhaps the best general term comprehending every possible form of bad feeling to the Government."

Since it was on this interpretation that the fate of the case depended, he elaborated it thus: "It means everything which indicates hostility to Government. That is what the law means by the disaffection which a man must not excite or attempt to excite; he must not make or try to make others feel enmity of any kind towards the Government; if a man excites or attempts to excite feelings of disaffection, great or small, he is guilty under the section. In the next place, it is absolutely immaterial whether any feelings of disaffection have been excited or not by the publication in question."

He did not agree, he said, with "some distinguished persons" who thought that there could be no offence against the section unless the accused either counselled or suggested rebellion or forcible resistance to the Government. His reason was that that view was absolutely opposed to the express words of the section itself, "which as plainly as possible makes the

exciting or attempting to excite certain feelings, and not the inducing or attempting to induce to any course of action such as rebellion or forcible resistance to overthrow the ruler of the country, the test of guilt."

What, therefore, the Judge was concerned with was "the intention of the accused in publishing these articles. Did they intend to excite in the minds of their readers feelings of disaffection or enmity to the Government? Or did they intend merely to excite in the minds of their readers feelings of disaffection or enmity to the Government? Or did they intend merely to excite disapprobation of certain Government measures? Or did they intend to excite no feeling adverse either to the Government or its measures, but only to excite interest in a poem about Shivaji and a historical discussion about his alleged killing of a Mohammedan general?"

These were the questions which the Judge asked the Jury to consider. "But you may ask: how are we to ascertain whether the intention of the accused was this, that or the other?" And he himself provided an answer to the question: "The answer is that you must gather the intention of the accused as best as you can from the language of the articles themselves. What is the intention which the articles themselves convey to your minds? In considering this, you must first ask yourselves what would be the natural and probable effect of reading such articles in the minds of the readers of the *Kesari,* to whom they were addressed."

The Judge then asked the Jury to read the articles and further said: "Ask yourselves as men of the world whether they impress you on the whole as a mere poem and a historical discussion without disloyal purpose, or as attacks on the British Government under the disguise of a poem and historical discussion. It may not be easy to express the difference in words; but the difference in spirit and general drift between a writer who is trying to stir up ill-will and one who is not is generally unmistakable, whether the writing is a private letter, or a leading article, or a poem, or the report of a discussion. If the object of a publication is really seditious, it does not matter what form it takes."

He warned the Jury that "it would not be fair to judge of the intention of the accused by isolated passages or casual expressions without reference to the context. You must

consider each passage in connection with the others and with the general drift of the whole. A journalist is not expected to write with the accuracy and precision of a lawyer or a man of science; he may do himself injustice by hasty expressions out of keeping with the general character and tendency of the articles. It is this general character and tendency that you must judge the intention by. You must look at these articles not as grammarians or philologists might do, but as the ordinary readers of the *Kesari* would look at them—readers who are impressed not by verbal refinements but by the broad general drift of an article."

Now he came to a vital matter which the Jury was to bear in mind in reaching its verdict: "In considering what is the natural and ordinary consequences of a publication like this, I must impress upon you the most important thing in my summing up, and it is that you must have due regard to the time, place, circumstances, and the occasion of the publication. When you are considering the likely and probable effect on the people's mind in respect of a publication, you must consider who the people are. In my opinion it would be idle and absurd to ask yourself what would be the effect on the minds of those who read the articles in a London drawing-room or those who sat reading them at the Yacht Club in Bombay, but what you have to consider is what would be the probable and likely effect on the minds of those readers of the *Kesari* among whom the articles are circulated and read. Then you have to look at the standing and the position of the defendant. He is a man of importance among the people, and looking at these articles you must ask yourself the question, would readers of the *Kesari* be affected by reading these articles?"

He tried to accommodate the viewpoint of the defence with regard to the translation of the articles. He advised the Jury that wherever there was no dispute about the accuracy of the free translation, where its rendering had not been challenged, it should be guided by the free translation. But where there was any dispute as to the accuracy of what was called the free translation, the Jury could look at the literal translation and try to see what the writer and the publisher intended by these artices. "Then, again, where there is a conflict of evidence as to the meaning of a particular expression, I would advise you to give, under the usual rule,

the benefit of any reasonable doubt to the accused. Before you come to any conclusion you must first of all, in the case of disputed translations, judge what was meant by the text."

The Judge then proceeded to give the Jury an idea of the state of mind of the people at the time the articles were published and circulated. "We know quite well that famine appeared in the land, and spread over a vast area of the country. Plague, which commenced first in Bombay, spread to various parts of the country and to Poona. Great distress naturally followed in the wake of famine and of plague, and Government had to come forward and deal with plague as well as famine. It had to adopt measures appropriate for suppressing the plague, which had led to the goods of this country being boycotted all over the world, and those measures being opposed to the sentiments of many of the people, the necessary interference with their domestic habits created great excitement. Government had to take steps which were unpopular and especially had to resort to segregation. I do not wish to question in the slightest degree whether this was a necessary measure, or not. I am only reminding you it was adopted, and an inflamed state of feeling was the result. Amongst a considerable portion of the people accusations were made against the British soldiers to the effect that they had insulted women and committed other deeds, in regard to which no evidence, so far as I know, has been forthcoming. The result was what you would expect amongst people of that kind—easily alarmed and suspicious—and they regarded the measure taken as an unwarrantable interference in their domestic affairs. It was a very difficult position both for the Government and people. The inevitable result was friction and a state of tension and excited feeling that went on for a considerable time and culminated in the murders on the night of June 22 of Mr. Rand and Lt. Ayerst."

Then he observed: "The prisoner Tilak was in Poona or its neighbourhood at the time and knew perfectly well the state of feeling which existed. It therefore behoved him as a man of influence and a leader of the people at a time like that to be especially careful as to what he said in regard to the relations between Government and the people."

This, he stressed, was a most important point for the Gentlemen of the Jury to consider, for unless they bore in mind the particular conjuncture at which these articles were

published, they would not arrive at the truth in this enquiry. They must have regard to the time, manner, connection, and, above all, the class of readers to whom the articles were addressed.

At this stage, the Judge paused for a while, and those who had been listening to him attentively received the first shock. A wave of disappointment surged through the audience.

The Judge next examined the articles in some detail. He first took up the "Shivaji's Utterances." He did not take a serious view of the passage—"foreigners are dragging Lakshmi by the hand." There was no objection, he said, to the newspapers writing articles upon the expenditure of the country when the object of the writer was to obtain some measure of financial reform, "but they must take this reference to taxation in connection with everything that followed." He pointed out that in the article in question no particular measure was referred to, and the charge was brought against Government that in times of scarcity, famine, and distress they were taking wealth out of the country.

Similarly, he saw no reason why several inflammatory, prejudicial and extremely delicate topics were accumulated in the poem and disseminated "at this particular moment". He was speaking of the reference to cows, Brahmins, Mavlas, hunger, etc.

He did not regard the suggestion that, in the cases between white men and Indians, injustice was done to the latter, as quite innocuous. "It is quite permissible to comment on the proceedings of a court of justice, and to say that foreigners are acquitted who ought not to have been acquitted, and a writer can say this with perfect propriety without bringing himself within the terms of Section 124-A. But you must look at the context. Why was this particular statement put in? This is put forward as one item in the general list which makes up the ruin of the country following upon the state of things Shivaji left behind him. This is strung together with the other remarks upon imprisonment of the Brahmins and the slaughter of the sacred cow."

In the same strain, the Judge dealt with the reference to the princes, and added that it was difficult to say what object it could have been written with "except the same object as the other topics of prejudices which make up the aggregate dealing with these delicate subjects."

Before examining the second article, the Judge told the Jury that if it took the first article to have been published with seditious intention, then it would be fully justified in holding that the second article also came within the section. He then discussed the article itself. He called the Jury's attention to the statements which justified Afzal Khan's murder and told people "that murders are justified under certain circumstances". What effect it produced on the hearers depended, in his opinion, much upon the commonsense and self-control of the hearers. "It is a sort of case in which a man very easily crosses the line."

Then came that part of Tilak's speech in which he had said: "With benevolent intentions Shivaji murdered Afzal Khan for the good of others. If thieves enter our house and we have not sufficient strength in our wrists to drive them out, we should, without hesitation, shut them up and burn them alive." The judge thought that this sentence might have reference to a resistance to the Government. He said: "The Jury must, in considering the article, take into consideration Tilak's remarks about the French Revolution, about the entering into the houses, and his remarks about Afzal Khan and the justification of Shivaji and all the rest of it and, taking them in conjunction with the context, you are to make up your mind whether the accused meant only that 'the people should unite to improve themselves and to share in the administration of the British rule,' or that he meant that the British rule was a terrible burden, and that extreme measures should be resorted to for the accomplishment of that object. You must in this matter exercise your commonsense and your understanding of the way in which a loyal man writes. It is for you to determine what an ordinary reader would think of the justification of Shivaji committing the murder, and of the people being invited to unite, considering the state of the country and the state of feeling prevailing particularly at Poona and in Western India." In regard to the other articles also, which were referred to by the prosecution though they were not included in the charge sheet, the Judge made the same suggestion, that is, the intention was to get rid of the 'terrible burden' of the British rule.

Concluding his address, the Judge advised the Jury "to come, if possible, to an unanimous conclusion, either one way or the other. Take your time about the decision, and do not

return until you are either unanimous or are quite sure that no amount of discussion will make any change in the verdict at which you arrive. If you have any reasonable doubt about the guilt of the prisoner, you are to give him the benefit of that doubt, but at the same time if you feel that in connection with these articles he is guilty of exciting, or attempting to excite, feelings against the Government established by law in British India, you will be justified in bringing a verdict against him."

The Jury retired at 5 P.M., and returned at 5-40 P.M. The Clerk of the Crown asked the foreman of the Jury: "Are you unanimous?"

Foreman: "We are not unanimous."

Clerk: "What is your majority?"

Foreman: "Six to three."

Clerk: "Guilty or not guilty?"

Foreman: "Six for guilty and three for not guilty."

Judge: "I accept the verdict."

Then the Clerk of the Crown again stood up and said: "Tilak, you have been found guilty of attempting to create disaffection against the British Government. Have you anything to say why judgment should not be passed upon you according to law?"

Tilak: "I wish to make a statement. In spite of that verdict I still maintain I am innocent, and for this reason: I think the verdict has been arrived at owing to the misunderstanding of certain Marathi texts. In fact, there was not a single intelligent Mahratta gentleman put into the witness-box by the prosecution. It seems to have been lost sight of, and not pressed on the attention of the Jury, but whatever it is, I still hold that the writings themselves are not seditious. They were not written with any seditious intention, and were not likely to produce that effect, and I do not think they have produced that effect on the readers of the *Kesari*, or would produce on any intelligent Mahratta readers."

The Judge then pronounced the judgment:

"Tilak, you have been found guilty of attempting to excite feelings of disaffection to the British Government established by law. And I agree with that verdict. I do not think any reasonable and fair man applying his mind to these articles could doubt that in publishing them you have been animated by a feeling of disloyalty and disaffection to the British Gov-

ernment, and that you attempted to inspire those feelings in your readers.

"I have now to consider what sentence I shall pass on you. I may state at once that I do not intend to pass on you the maximum sentence allowed by law, or anything like that sentence. In my opinion the maximum sentence ought to be reserved for the worst possible offence under the section. Although I take a serious view of your offence, I do not take such a serious view of it as that. There are certain considerations, which I shall take into account in passing sentence. I take into account that this is the very first prosecution under the section in this Presidency and the second in India. The section under which you have been convicted has been allowed to remain for a considerable time almost as a dead letter, and I think that you and others like you may have been emboldened by this to think that there was no kind of writing in which you might not indulge with impunity. I shall take that into consideration to some extent in passing sentence upon you. I shall also take into account and will attach still more weight to the fact that, at all events for a considerable period, you did good work in connection with the plague and attempted to enforce a reasonable policy upon your countrymen. To that extent you co-operated with the Government and did so not long before you published these articles. I shall also take that into account in passing the sentence upon you.

"But on the other hand, I must take into account certain other facts which are not in your favour. You are not an ordinary obscure editor and publisher, but you are one of the leading members of your community; and a man of influence —many of your people look for their guidance to you—a man of intelligence, a man of remarkable ability and energy, who might under other circumstances have been a useful force in the State. Instead of adopting that course which would have brought you credit, you have allowed yourself to publish articles of this kind which, if persisted in, could only bring misfortune upon the people.

"I must also take into account that a man like you must know that, at such a time as this, it behoves everyone, especially persons of influence, to be careful as to how they address the people in regard to their relations with the British Government.

"I have done my best to bear in mind everything that could be considered in your favour, as well as the matters considered against you, and the result is that I have come to the conclusion that I ought to pass upon you half the full term of imprisonment allowed by the section, namely, a sentence of eighteen months' rigorous imprisonment."

CHAPTER XXVII

MISCARRIAGE OF JUSTICE

THE conviction of Tilak cast a gloom over the whole country. The news was received everywhere with intense grief and with a sense of humiliation, and caused profound sensation. A vast majority of Tilak's countrymen refused to believe that he was guilty. Before his trial, people knew him only by name. They had heard of his self-devotion and sacrifice, his erudition and nobility of character, his patriotism and fearlessness, but the State trial made him immensely popular. There was wide-spread sympathy for him throughout the country, and at many places it found expression in large meetings. Never since the harrowing events of the Great Revolt of 1857 did any news create so much consternation, so much uneasiness and so much ill-feeling as did this conviction. So far Tilak's activities were mainly confined to the Bombay Presidency, and naturally he was more intimately known to and loved by its people. Now he was a national hero.

While the trial was going on, the people waiting impatiently for the result asked one another what would happen to Tilak. Their patience was exhausted on the day the judgment was to be announced. That day, in the cities where newspapers were published, from an early hour in the afternoon enquiries began to pour in as to the nature of the latest telegram. Passers-by peeped in at the newspaper offices eager to catch the latest news. In order not to keep the anxious enquirers in suspense, some papers, like the *Hindu* of Madras, so arranged that the telegraphic intimations coming in from time to time about the progress of the trial were set in type as they were received, and posted in slips outside the office.

When it was known that the Judge had been summing up during the whole of the morning and had resumed even after tiffin-time, it was understood that he would soon cease speaking and that the fate of Tilak would be decided before the rising of the court. The crowds then grew thicker and more restless. And the faces of many of them, as they calculated in their minds the time that would be occupied by the various

stages of the proceedings, from the commencement of the Judge's summing-up until the time of the Court's rising, would have afforded a veritable study to an observer of human nature.

In Madras, the crowd, weary of waiting at the *Hindu* office, went to the Telegraph office, which was already thickly crowded. And when the telegram came and was read, oh, what grief, what anguish was depicted on the faces all around! Till a late hour in the night and on the morning following, small knots of people could be seen gathered in the nooks and corners of the city, and the conviction of Tilak was the all-engrossing topic of talk. The *Madras Times*, an Anglo-Indian paper, described their general feeling thus: "The news of Mr. Tilak's conviction was received as a national calamity. It would be impossible for a good length of time yet to obliterate the memory of that eventful evening and it certainly cannot be said that the event has been conducive to the strengthening of the bonds existing between the native and the Anglo-Indian communities in the country."

The news reached Poona after nightfall by telegram. There came a gloom suddenly over the whole city; people began to talk in whispers and no one seemed desirous of communicating the news to anxious enquirers. Loud sobs were to be heard. On the previous day many superstitious people had fasted praying all the while for a favourable result of the trial. Special worships at temples were offered by individual votaries during the couple of days when the expectation was at its height; and the despair and disappointment that the news brought broke the hearts of Tilak's devotees.

The Press Association of Calcutta adopted a resolution that by way of expressing their sorrow all the papers under its control should appear once in black borders. Accordingly, the *Amrita Bazar Patrika*, the *Bengali* and the *Indian Mirror*, of September 25, appeared in black borders. The *Hindu* of Madras suggested that the papers should send one issue to their subscribers with no matter in it except the portrait of Tilak. The students of a Lucknow college went to their classes, on September 17, with black crapes on their arms. When asked by the Principal to explain their conduct, they courageously replied that they were observing mourning for the imprisonment of the well-known patriot.

The promoters of the Dassera *melas* in Bombay decided

not to take out the usual procession on the Dassera day. Instead, the people proceeded to the Lakshmi-Narayan temple and offered prayers inviting blessings on Tilak. Tilak's photographs were worshipped in many houses in Bombay. The operatives of the Poona Cotton and Silk Manufacturing company too denied themselves the Dassera rejoicings. The atmosphere of grief continued, and in many places Diwali was not observed.

Three days after the conviction, an application was made on behalf of Tilak to the High Court for leave to appeal to the Privy Council. The appeal was heard by a Bench consisting of Chief Justice Farran, and Justices Candy and Strachey.

The appeal said that the Judge had misdirected the Jury, and if he had not done so, the majority of the Jury would not have found a verdict against the 'petitioner'. The appeal, among other things, questioned the Judge's interpretation of the term 'disaffection', which according to him meant absence of affection, hatred, enmity, dislike, hostility, contempt and every form of ill-will to the Government. The Judge erred in another vital matter: no evidence was given as to the state of public feeling at Poona on the dates when the speeches were delivered and published in the *Kesari* of June 15, and yet he referred to the existence of a state of agitation and unrest, and did not point out to the Jury the fact which appeared in evidence that it was officially notified to the public on May 18 that the plague operations would cease and soldiers would be removed on May 20. That showed that normalcy had returned.

It was argued on behalf of Tilak that section 124-A could not be said to have been contravened unless there was a direct incitement to stir up disorder or rebellion; the *Kesari* did no such thing.

The Chief Judge and his other two colleagues did not agree with the grounds put forward in the appeal and rejected it. But they conceded a vital point, that is, the meaning of disaffection was not want of affection, and therefore the interpretation of Strachey was to this extent wrong. But they characterised it as a minor point, which did not affect the course of justice. In dealing with this point they observed:

"That expression is used in connection with the law as laid down by Sir Comer Petheram in Calcutta in the Bangobasi

case. There Sir Comer Petheram, instead of using the words 'absence of affection,' said 'contrary to affection', and if the words 'contrary to affection' had been used instead of 'absence of affection' in this case, there can be no doubt that the summing would have been absolutely correct. Taken in connection with the context, it is clear that by absence of affection the Judge did not mean the negation of affection, but some active sentiment on the other side."

The Judges pointed out that the Privy Council had itself laid down certain rules which guided it in considering whether appeals, in criminal cases, were fit cases for appeal or not; and that it had expressly decided that there was no general appeal in criminal cases; that it was only when an important or doubtful question of law arose, or when there had been a miscarriage of justice.

There was, they held, no miscarriage of justice, and therefore they refused to certify the case for appeal.

Strachey's judgment and the Full Bench's decision rejecting the petition for leave to appeal were followed by a prolonged discussion in the press in which prominent jurists either took part or were quoted. Legal and factual aspects of the case were examined threadbare, and they all suggested that the course of justice had gone wrong in the Tilak case. Some papers dug out the history of Section 124-A, and came to the same conclusion.

The *Statesman*, which could not be regarded as biasd in favour of Tilak, questioned the decision of the Full Bench. It observed in its editorial comment: "The surprise which must have been created in the minds of all who considered the questions raised in the light of either reason or precedent or of judicial policy—for there is such a thing—by the rejection, by the Full Bench of the Bombay High Court of the application, made on behalf of Bal Gangadhar Tilak for leave to appeal to the Privy Council against his recent conviction, will not have been diminished by a study of the grounds on which it was based. The Bench admit Mr. Justice Strachey's definition of 'disaffection' as including mere absence of affection to have been erroneous. In other words, they admit that there was misdirection of the Jury, and that upon a point which might be of vital importance to the accused. But they hold that this is not sufficient ground for granting the application, because the Jury could not have been misled by

the error. Not only, however, was it obviously impossible for the Bench to know that the Jury—who do not disclose the grounds of their verdict—were not misled by this wrong interpretation of the law, but, as they were bound and were directed to take their law from the Judge, it is clear that to hold that they held the writings which were the subject of the prosecution to have been calculated to excite more than mere want of affection, and this assumption the Bench plainly had no right, either legally or logically, to make."

There was another point on which, the paper said, the Judge seemed to misdirect the Jury. "It is as much opposed to right reason, however, as it would be fatal to liberty, to hold that writings, or other utterances or expressions, other than comments on the measures of Government of the kind excluded by the Explanation, which are calculated to excite any degree whatever of ill-will against the Government, fall within the scope of the Section. It cannot be reasonably doubted that, although the Legislature specified no degree of disaffection, they used the word in a technical sense, or that it was their intention that, in order to bring 'words spoken or intended to be read,' or any of the other form of expression mentioned in the general clause of the Section within its scope, they must be calculated to excite such a degree of ill-will or hostility to the Government as their author, with the exercise of reasonable care and ordinary intelligence, might be expected to know were likely to weaken the authority of the Government or provoke disobedience of, or resistance to, it." In the end the *Statesman* article said: "The decision of the Bench is greatly to be deplored, because, apart altogether from the question whether the verdict was substantially just or not, Mr. Justice Strachey's decision and interpretation of the law create a state of uncertainty as to what may or may not be held to constitute seditious writing or speech, which is fraught with far more danger to the public interest than even the licence which the Government has so long tolerated."

Tilak's advisers and counsels thought that a further appeal would be quite justified, and therefore they made an application to the Privy Council for special leave. Asquith (later Lord Asquith) appeared for Tilak in support of the application, but that application too was rejected.

Seldom had a judgment of a High Court in the British Empire been so prominently questioned by eminent jurists,

leaders of public opinion and newspapers; and seldom had it been said so openly that justice had been denied by clever devices.

The *Hindu*, in course of a long editorial, said: "In the conviction of Mr. Tilak the country beholds the beginning of a most mischievous and most deplorable struggle between the Indian people and their enemies in their own country—for, they have enemies who are very powerful, who have free access to the rulers, and who command the service of the Tory Press in England. There will be rejoicing among them, no doubt. When the prosecutions were started more than two months ago, we expressed our regret that they were started at a time when the feeling of Englishmen was so strongly prejudiced against Indians. We said it was impossible that under such a feeling Englishmen could judge impartially or leniently of the criticisms on British Government by the Indian press. The recent convictions have more than justified the apprehensions we then expressed." Similar sentiments were expressed in other Indian and some Anglo-Indian papers.

There were British papers too which questioned Strachey's interpretation of Section 124-A and consequently the sentence he had awarded. The *Daily Chronicle* said in an editorial comment:

"Wildness, discontent, mischievous rubbish there may be in plenty. But we have got on with it and we shall get on with it again. Prove real sedition—above all, conclusively connect it with crime—and we should all favour sharp, stern punishment. But when it comes to overhauling poems and constructing elaborated innuendoes from eulogies, one feels that the Government are on perilous path. There is one aspect of the sedition trials in India which must not be lost sight of. And that is the new definition of 'disaffection' enunciated by Mr. Justice Strachey. We feel confident that such an interpretation of the law would not be tolerated in England and, if not speedily overruled, may produce grave mischief in India."

But the papers like the *Times of India*, the *Pioneer* and a few Muslim papers, which were associated with the 'ideology' of putting down the Congress Movement and the nationalist 'agitators', heaved a sigh of relief. In the opinion of the *Times of India*, "the sentence does not err on the side of

severity, but it carries a lesson with it which every good citizen must hope will not be lost upon the followers and imitators of the *Kesari*." The *Rast Goftar*, a communal-minded paper, which was opposed to the grant of any measure of self-government to India, said: "We rejoice to be able to inform our readers that Tilak, the arch sedition-monger, has got his deserts. He is laid by the heels for the next eighteen months. But short as the term of the imprisonment is, it is long enough for him to meditate whether it will pay him, after he comes out of the prison, to preach sedition again even under the veiled form of Shivaji's utterances, now that it has been conclusively demonstrated that the arm of the law is long enough and strong enough to tear open the veil, however thick." A Bombay daily, *Akhbar-e-Islam*, also expressed itself in similar language.

The President of the 1897 Congress, Shankaran Nair, himself a very eminent lawyer, and who subsequently rose to the position of Law Member of the Viceroy's Executive Council, expressed, in his presidential address, dissatisfaction with the way the trial was held. He said: "A European—he need not even be a subject of the Empress—may claim to be tried by a Jury of whom at least one-half shall be Europeans. This is practically an efficient protection not only against the executive, but against popular excitement. In the case of an Indian, the entire Anglo-Indian community may be most unreasonably and passionately prejudiced against him; he may be an object of violent antipathy to other races; yet he cannot claim fair trial at the hands of his countrymen. He must submit to be quietly convicted after, it may be, the farce of a trial; for a trial seldom restrains men who are passionately excited, and the trial by Jury, an institution intended for the protection of the prisoner in such circumstances, proves a delusion and a snare by depriving the prisoner of the right of appeal. Mr. Tilak, there can be scarcely any doubt, would have claimed a trial by a Jury of whom one-half were Indians, if to the Indian the law allowed the same protection that it affords to the Europeans. If there is any offence in India which ought to be tried by a native Jury, it is the offence of sedition. It was possible that a native Jury who knew the language and who were in a more favourable position to form a correct judgment of the probable and intended effect of the articles on the native mind would not have convicted; it was

certain that a European Jury in that state of public excitement would convict. By exercising its right of challenge the prosecution was able to secure a Jury of six Europeans—the number necessary to secure a conviction—and three Indians, and the verdict was naturally six to three. In a far stronger case tried by an experienced Chief Justice who had been trained in English Courts and retained the instincts of an Englishman, the Judge refused to accept the verdict of seven to two, when there was only one native on the Jury. Then, in England, a man convicted of sedition is not treated as an ordinary criminal, sedition being regarded a political offence, but in India apparently one is subject to the ordinary hardships of prison life."

There was intense excitement in a section of the Congress, and when Surendranath Bannerjea rose to speak on Tilak, there was loud and continued applause, with the audience standing. He said that the imprisonment of Tilak was a great mistake. "For Mr. Tilak my heart is full of sympathy. My feelings go forth to him in his prison home. A nation is in tears. Speaking for the Indian press, I have no hesitation in saying that we believe Mr. Tilak to be innocent of the charges brought against him." Some delegates proposed a motion of censure against the Government but the Moderates thought that it would be inadvisable to pass a formal resolution. The Moderate opinion prevailed and the motion was withdrawn.

At a conference of Indian residents in the United Kingdom, held under the auspices of the London Indian Society on December 28, 1897, at Montagu Mansions, Dadabhai Naoroji, who was in the chair, said: "Gagging the press is simply suicidal. There never was a greater mistake than to prosecute Mr. Tilak. This was a new departure from the principle on which the British Government was conducted."

At the time of his arrest Tilak's financial condition was poor. His papers could make both ends meet only with great difficulty. The little profit that they ever made went towards liquidation of old debt. His only source of income was his law class which yielded just enough for an ordinary living. Therefore, before his release on bail, his staff made an appeal in the *Kesari* and the *Mahratta* for a defence fund. There was a tremendous response. For months contributions went on pouring into the fund, and Rs. 53,000 were collected out

of which Rs. 9,000 remained unspent. (This balance was later spent for public purposes.) Contributions were raised in distant Bengal also by Shishir Kumar Ghosh, Motilal Ghosh and Surendranath Bannerjea. Unaware of his greatness and not expecting much money from public subscriptions, Tilak was worried, after his release on bail, about legal expenses and had borrowed Rs. 2,000 from a friend. He was staggered at the affection showered on him throughout the country. He was in ill-health and overpowered by emotion he dictated the draft of his will to his nephew. "Will he not return alive?" This thought overwhelmed the young man with grief, and the tears rolled down his cheeks.

.CHAPTER XXVIII

OUT AGAIN

EVER since Tilak walked into the jail and until after he stepped out of it, the Indian press, particularly that of the Bombay Presidency, continued a ceaseless campaign against his imprisonment and for his release. There were angry comments condemning the Government, and also conciliatory ones imploring it to do a graceful act. The Government was advised that it would be in its own interest to release Tilak for that would allay public resentment. Similar demands were made at public meetings held from time to time in many towns of the country. Written representations and telegrams were sent to the Bombay Governor, the Viceroy and the Secretary of State. Some of the leading men of the Bombay Presidency, like Chimanlal Setalvad, sought interviews with the Governor, Lord Sandhurst. Setalvad who met the Governor in October, 1897, suggested to him that it would be a very good gesture on the part of Government if it commuted the sentence passed on Tilak to the period already suffered and released him. He "urged that the law had been vindicated by the conviction and the commutation would create a very good feeling in the minds of the public who undoubtedly held Tilak in great esteem while, on the contrary, making him serve the full sentence would enhance the bitterness against the Government and make Tilak a greater hero." But the Governor was adamant, and Setalvad's advice was not heeded.

Public attention was now diverted to Tilak's condition in jail. He was being treated, the story went round, as an ordinary criminal, and lodged with hardened criminals. He was given the same food as they were given. The imprisonment being rigorous, he was required to pick oakum (according to *Prabhat*, dated December 18, 1897). He was not accustomed to eating unwholesome food, and he began to lose weight rapidly; in two months he lost 25 pounds. There was widespread anxiety in the country, and the papers pertinently asked whether Tilak would come back alive. Reacting to this suggestion, the Government removed him to the House of

Correction at Byculla. Here too the affairs were not much different, and Tilak made no improvement in health. Bad diet and unhealthy living conditions made him a victim of diabetes.

The news of his failing health reached England and other countries, where, among the oriental scholars, Tilak had many admirers. The attention of the Howard Association of England was drawn also. That Association had been formed to endeavour to improve the jail life of prisoners all over the world, with the object of making them good citizens. Setlur, a Bombay pleader, wrote a letter to the Secretary of the Association telling him that in India a great scholar like Tilak was being treated as a criminal. The Secretary took up the question with the Secretary of State for India, who returned a terse official reply that Tilak was being treated according to the code of jail discipline and that the allegations made by Setlur were not correct. Evidently the Secretary of State's letter did not satisfy the Association Secretary who told Setlur in his reply: "If any serious thing happens to Tilak you may let me know of it in detail. But I hope he will survive his detention. In my letter I reminded Lord George Hamilton (the Secretary of State) that if Tilak should die in jail, it would attract widespread criticism, both in this country and in India, of the Indian prison-regime and that this of course would be very undesirable from the point of view especially of the Government."

The case of Tilak particularly and complaints from India generally led the Association to pass a resolution in which it said: "The Committee of the Howard Association have lately received various communications from India, referring to the actual and prospective imprisonments, for real or alleged infringements of the press laws of that country. The Committee are of opinion that, in general, this class of offences ought to be regarded as being of a political rather than of a criminal nature, and that the punishment should be differentiated accordingly."

This had a salutary effect on the Government in India, and Tilak was ordered to be transferred from Bombay to the Yervada Jail. Before this the jail doctor asked Tilak why he did not inform him that the jail diet did not suit him. It was apparent that the jail doctor was feigning ignorance, and Tilak told him that he should have known it from his failing

health and loss of weight. The plague again appeared in Bombay in 1898, and the authorities were anxious to avoid any risk to his life. He was inoculated, and had high fever for two days. These two factors hastened his transfer to the Yervada jail.

While being taken in a first class coupe in all secrecy from Bombay to Yervada, the door of his compartment was opened at Kalyan Railway Station for a medical check-up by a plague doctor. And happening to get a glimpse of the beloved leader, people at the platform clustered round the compartment. As the news spread, more people rushed towards it; many were in tears seeing the frail body of the leader in jail uniform.

At Yervada, he was given better food and less arduous work, which brought about improvement in his health. He gained nine pounds in weight which had gone down from 135 to 104. His job was to prepare colours and paints. He learnt the work and did it thoroughly well, and was allowed to take with him samples when he was released. Solomon, the jail superintendent, was sympathetic to him, and treated him with the consideration that he thought was due to a man of learning. Solomon even went out of his way to allow Tilak the use of lights up to 10 o'clock at night. While Tilak was yet in jail, Solomon retired and was succeeded by one Colonel Jackson. He was a different kind of man, but he did not withdraw the concessions that Solomon had given to Tilak. He was a man of peculiar disposition; which may be illustrated by a small incident. A pair of Deccani shoes was ordered to be purchased for Tilak. The superintendent expressed disapproval of the colour which was red, and had the shoes coated a jet-black!

The campaign for Tilak's release was going on as vigorously as before; the time factor did not diminish it. Now even the *Times of India* was publishing 'letters to the editor' demanding the release. At the top of the campaign, Max Muller took up the matter in January 1898, and pleaded that it was a mistake to imprison a man of Tilak's learning for sedition: "My interest in Tilak is that of a Sanskrit scholar," he said. After the publication of *Orion*, some correspondence had passed between the two, and both developed regard for each other. Max Muller had already sent through a Bengali gentleman at Oxford a copy of his *Rigveda* to be handed over to Tilak in jail. Max Muller was anxious that something should be

done to get Tilak out of jail, and the Bengali gentleman suggested that a petition should be made to the Secretary of State for India. It was signed by Max Muller, Sir William Hunter, Sir Richard Garth, William Cane, Dadabhai Naoroji, Romesh Chandra Dutt and many others.

The petition set forth the following arguments: (1) Tilak was loyal subject who had on many occasions given good counsel and assistance to the Government and his election to the Council was duly confirmed by the Government; (2) some of the articles which formed the staple of the charge of sedition against him were written at a time when the public mind was exceedingly high-strung due to the plague repression; if they were found to be really dangerously seditious by the Government, Tilak ought to have been prosecuted at that very time; (3) it was understood that criticism of the Government was considered as legitimate and tolerable in India as in England; it was true that sedition should not be encouraged; but it was indeed improper that Tilak should have fallen the first victim to sedition; (4) from his essays in the *Orion* it appeared that he was a profound scholar and his soul loved to dwell in the temple of ancient learning as in nothing else; (5) it was impossible that a man like him should have been accustomed to hard labour of the type assigned to him in jail; his health had completely broken down under the severity of jail work and jail life in general; (6) the real culprit in the Rand murder case had been traced to be an educated person and a born revolutionary; he could not have been incited to commit the crime by the articles in the *Kesari;* and (7) in passing punishment on Tilak, the dignity of law had already been maintained and the ends of justice had likewise been served. Even if there might be sedition brewing anywhere in India the punishment of Tilak was sufficient to suppress it, or at least to render it nugatory. The before-time release of Tilak would produce a widespread, beneficial and assuaging effect on the public mind.

The Government seemed willing to release him, but on rather humiliating conditions: that he would not take part in politics; that he would not accept the receptions that might be arranged in his honour on his release. Tilak said that he did not like any receptions, but to deny himself participation in politics was unthinkable. A C.I.D. officer, Bruin, had been conducting negotiations on behalf of the Government,

but his endeavour to send out Tilak a humbled and humiliated man failed. Tilak's friend D. A. Khare was also allowed by Government to meet him and suggest a condition which might be acceptable both to Tilak and Government.

The two had prolonged discussions, and a condition which had a likely chance of success emerged. It was that if Tilak happened to be again tried and convicted on a charge of sedition, the unexpired term of six months should be added to his sentence. Bruin took the suggestion to the Government, asking Khare to wait until he returned. The condition was accepted by Government, and Tilak was set free at 9 P.M. on September 6, 1898; he was convicted on Tuesday, and this was a Tuesday again.

The news reached Poona by telegram. At that late hour thousands of people thronged the thoroughfares leading to Tilak's residence. The whole town was astir by midnight, and crowds assembled in the compound of the house to do honour to the patriot. The next day was observed by thousands in Poona as a day of national rejoicing and thanksgiving. The city was extensively illuminated and music was to be heard in many thoroughfares and places of worship. Many houses were decorated. On the top of one house was hoisted the familiar sign of the silk sari and the brass *lota.* On the outer verandah, in full view of the passers-by, was a small picture of Tilak and also one of the Queen, both garlanded with flowers.

There was an unending queue of visitors. An English daily of Bombay computed one day's total at 10,000. Newspapermen were anxious to have a little chat with Tilak hoping to get the best news of the day. He told a correspondent of the *Dnyan Prakash* that he was kept in the Yervada jail in the European ward and was given a room measuring ten by fifteen feet. There was a stone plinth covered up with plants which served as the bedstead. The bed consisted of three blankets. He had to wear prison uniform.

About himself he gave only a very brief account, but he had much to say about the condition of ordinary prisoners. Their food was awful, their living conditions were inhuman, and they were treated very shabbily by the jail authorities. He wanted public opinion to be created for better treatment of prisoners.

Bombay received the news of his release at 1 A.M. Those

who heard it first went round knocking at the doors of their friends and asking them to come out and celebrate the happy occasion at once. It was not yet dawn when singing bands appeared on the streets, and there was beating of the auspicious drums, firing of crackers and powder tubes. Many people bathed early in the morning and visited temples. As the day dawned, flags were raised and sweets distributed. People spent the day in rejoicing, and at night there were entertainments in the form of music and dancing, *keertans,* and Satya Narain puja.

Similar enthusiasm was to be witnessed in many other towns.

For weeks together telegrams and letters of felicitations continued pouring in, from all parts of the country and also from abroad. Romesh Chandra Dutt, who was in England then, said: "I cannot describe in words what feelings rise in my heart when I remember the hardships you have borne. The courage and power of suffering you have so far shown are worthy of admiration. Those nations alone rise whose people possess such qualities and bear such sufferings. I do not doubt that the effect of your example will be permanent. Your endeavours will never go in vain. They are bound to bear fruit. Your hardships will lead the nation to victory."

Yet another letter—from William Cain—may be reproduced: "I am aware of the religious tendency of your mind. And hence you will not disagree when I say that the hardships of man tend to make his life perfect. You are coming out from your ordeal of jail life with a fuller and brighter lustre. It was inevitable, in the circumstances, that some leading personality should fall victim to the Government's wrath. You will be proud that you, of all others, got the distinction. The future historian of India will record your achievements in the proper place and posterity will ever be justly grateful for the enormous hardships you bore for the nation's political liberty."

But the *Times of India*, though it had allowed letters demanding release to be published, was still unrelenting. After Tilak was out of jail, the paper expressed its disagreement with the Government, and disapproved the premature release.

CHAPTER XXIX

MODERATES REFUSE CO-OPERATION

A YEAR'S sojourn in jail had made Tilak a physical wreck; he looked the shadow of his former self. A small-statured man of no great strength his weight normally varied round about 135 lb. At one time it dropped to 105 lb., and although in the Yervada jail he made some improvement, "the figure did not go beyond a hundred and a baker's dozen." He was unfit for any strenuous public work, and therefore his friends and co-workers insisted on his retiring to Sinhgarh for mental and physical relief. Tilak was very fond of Sinhgarh; it was for him both a sanatorium and a place of inspiration. When he was a member of the Deccan Education Society, he had a plan to build a small bungalow at Sinhgarh where professors of the Fegusson College might by turn retreat for rest of mind or recuperation of health. Later, when he was independently established, he purchased a small piece of land on the Fort and set up a thatched house in which his family lived during the summer.

So Tilak went to Sinhgarh. But the restless spirit in the frail body was impelling him to go back to the field of action. Weak or strong, his place was there. While he was yet convalescing, he decided to attend the Congress session which that year was held in Madras. According to a delegate, who happened to travel with Tilak, he "was most cordially received at almost every railway station at which the train stopped. In Madras also he was treated with greatest respect by all, young and old."

He made no speech, and some of his Moderate opponents read a meaning in his silence. They believed and spoke out in private conversation that Tilak had given an 'undignified undertaking' to the Government. The rumour reached the news sleuths, and on his way from Madras to Rameshwaram, a correspondent of the *South Indian Post* asked him whether what was being said was correct. He told the correspondent: "Not that anybody prevented me from opening my lips in the Congress; on the contrary, many even pressed me to say at least a few words. I did not consent only because when once

my speech was published, there would be quite an attack of invitations for public speaking which, on account of my indifferent health, I would not be able to cope with." Yet Tilak was invited to many functions and attended them in spite of fatigue and insufficient rest. In return, he also gave a party to which were invited leading men of the city and those who had come from other provinces to participate in the Congress.

Not yet quite fit to resume his journalistic and public work, he decided to stay away from Poona for some weeks and divert his mind by travelling and sight-seeing. So he travelled from Madras to Madura, and thence in a bullock cart drove to Rameshwaram. He also paid a visit to Ceylon. His itinerary kept him away from home till February, 1899, in which month he returned to Poona.

In July he resumed the editorship of the *Kesari* and, in the first issue (July 4) which appeared under his name, he offered to work in collaboration with the Moderates whom he had alienated after the capture of the Sarvajanik Sabha and in consequence of acute differences over the Social Reform Conference controversy. He appealed to them to work in co-operation with what they considered the extremist party in the larger interest of the people. He said in his article:

"When, two years back, the political school of Moderation sprang into existence, we had presaged as much. Some of our critics had blamed us for our pessimism, but our prophesy was fully borne out. However, let bygones be bygones. Let us turn over a new leaf now. We find that owing to the disorders due to the plague and to the angry attitude of the Government, all our movements have come to a standstill. If we mean to revive them, our first duty is to close up our ranks. Like the crows of the fable, we, each of us, call ourselves peacocks. Only our opponents are crows! But there is the eagle of the bureaucracy in the sky, bent on confounding us, crows, peacocks and all. Should not the experience of the last two years make us wiser? There are some papers who pride themselves on their moderation, because they have not been prosecuted in 1897. But is it necessary for us to say why and how they escaped Scot-free? They should at least look to the Gile's circular before satisfying themselves of their innocence. Both the political parties are agreed as to the rights we want to get from the rulers. Both are agreed as

to the need of demanding these rights from the Government and of educating the people to make such demands. If this is so, where is the room for 'Moderation' and 'Extremism'? None of us ever dreams of breaking or transgressing the laws of the land while demanding our rights. What then is the difference? Already the Government has restricted our liberty of speech. It is suicidal, therefore, to emphasise our political differences. Let us not keep aloof from each other by creating false doubts and differences."

The appeal fell on deaf ears, and quite understandably because the so-called Moderates and Extremists differed so acutely in their political approach that it was well nigh impossible to find a common meeting ground. The wording of Tilak's appeal itself smacked of animosity towards Government. The Moderates missed in it that humility and submission in which they talked and submitted their demands to the British Government. Ever since Tilak began his 'hostile' activities against Government, causing annoyance to the authorities through the Shivaji festival, the Moderates considered him a foreigner in their camp. The Moderate press not only strongly disapproved of his articles on plague atrocities, but even suggested that those articles were capable of inciting murder. They had in view the murder of Rand and Ayerst. It was an old story, and Tilak believed that at a time when politically-conscious Maharashtra lay dormant, both schools of politics should join hands to shake the people into action. But the Moderates were unperturbed and saw nothing unusual in the political calm. What, in fact, Tilak regarded as political activity, was to the Moderates a disturbed state.

They wanted to keep aloof from Tilak so much so that, whenever they had a social function, they would try to ignore him. (Tilak was not invited to a function organized by some Moderates to accord reception to R. P. Paranjpe on his return from Cambridge.)

And how could the Moderates mix with Tilak when a section of the Anglo-Indian and British press was still associating Tilak with violent activity? In February, 1899, again there was a tragic event which was a direct offshoot of the Rand Murder Case. Two persons, the Dravid brothers, had acted as informers of the Criminal Investigation Department in that case and, by telling the police that the Chafekar brothers had committed the murder of Rand and Ayerst, won

a big prize. Now, about two years after that event, the third Chafekar brother, Vasudev, shot dead the two Dravid brothers; he had been looking for an opportunity of taking the lives of the men who, for a pecuniary gain, had caused his brothers to be hanged. Again there were angry comments in the Anglo-Indian and British press. The *Globe* published some remarks suggesting connection between Tilak and the murders. The journal also advised Government to watch carefully the activities of Brahmans who were fired with the ambition of re-establishing the Maratha hegemony in the Deccan. The comment of the *Globe* was reproduced in the *Times of India* as a sample of public opinion in England. The mischief of 1897 appeared to be repeating itself, and Tilak sued the *Times of India* for defamation. But hardly had the proceedings started in the court of the Chief Presidency Magistrate when the paper published an apology saying that the publication of the passage objected to was an editorial oversight and that the remarks made in the passage were unjust. The hearing, however, continued until the magistrate himself suggested to Tilak to withdraw the case. Tilak had gone to the court in order to silence the Anglo-Indian press which had once again started a campaign of calumny against him. This fact was brought to the notice of the court, and the defamation case was withdrawn.

Proceedings were also started by Tilak against the *Globe* in a London court. The *Globe* first gave an impression that it was prepared to fight out the case, believing that the huge amount of money that would inevitably be required would frighten Tilak and he would give up the case. For one living in India, it was really a costly affair to carry on a legal fight in England. But Tilak was prepared for it if only to vindicate his position. Ultimately, the *Globe* had to agree to apologise, and it published the apology in a prominent place.

The Moderates were alien to such unhappy experiences, and would have no truck with one who had his foot always in troubled waters. In subsequent years, the gulf between them grew wider and wider.

CHAPTER XXX

SANDHURST'S RUINOUS ADMINISTRATION

TILAK was his former self again, and went to attend the Lucknow Congress of 1899, with all his characteristic bitterness against the Government, particularly the Bombay Governor, Lord Sandhurst, whose misrule had brought so much misery upon the Presidency during the famine and plague.

Oudh, unlike Maharashtra, had not made great strides in political training. It was last to be annexed by the British, and while the scars of the Revolt of 1857 still stared one in the face, it lacked that spirit for learning and political reform which had been stirred in Bombay and Bengal. Some forty years before, when in Bengal people were travelling by railway trains and sending their messages by telegraph, in Oudh runners and *harkaras* were seen running about with letter bags on their backs, and bullock carts dragged their slow length along from place to place through all the perils of trackless jungles.

The convocation of the leading politicians of the country in its capital, Lucknow—still bearing the faint reflections of the Nawab court which only the other day had shone in gorgeous splendour—was an unprecedented event. As the news spread that the 1899 Congress would meet in Lucknow, life in the city was activised. The activities included preparations for anti-Congress demonstrations. In fact, anti-Congress demonstrations, whenever the Congress was expected to visit this province, seemed to have become somewhat fashionable. So when some Muslim loyalists pleaded with the Government to prohibit the meeting of the Congress in this city on the ground that it might import plague from the Deccan, nobody was surprised. They had heard the terrible stories of plague in Poona, of the murder of Rand and Ayerst, and also that that 'dangerous' man, Tilak, irreconcilably hostile to Government, would also attend the Congress.

They formed a committee under the leadership of one Mirza Mohammed Abbas, a local magnate, who was also once

a member of the Statutory Civil Service. The committee did its utmost to dissuade Muslims from joining the Congress and in order to effect its purpose, it introduced the question of religion. Lucknow had been singularly free from religious disputes between Hindus and Mohammedans, and it must be attributed to the good sense of both the communities that they refused to depart from the path of unity and amity.

An anti-Congress demonstration was, however, held on the Rifah-e-Aam ground, and some 900 Muslims attended. After speeches, certain resolutions condemning the Congress and praying to the Government for more patronage in the public services for members of the Muslim nobility were passed in the name of the Lucknow public. Nevertheless, a large number of Muslims were drawn to the Congress. (Out of some 700 delegates, 300 were Muslims.)

Romesh Chandra Dutt, who presided over the session, gave a graphic account of the growing poverty in India as a result of British exploitation. He moved his audience by hard facts: India's terrible pale visitor, the famine, was again taking its toll of life, and as usual food ships were sailing to the United Kingdom. The setting seemed congenial, and it seemed that the year's Congress was not going to be docile. But when Tilak rose to move a resolution condemning the regime of Lord Sandhurst, a storm of opposition was raised. In vain did Tilak try to argue with that crowd of Moderates that Sandhurst's government was responsible for ruining the peasantry, for a reign of terror in the plague-stricken areas, for a number of other misdeeds, and above all for ruthlessly suppressing those who criticised his administration. He asked any one of those opposing the motion to stand up and disprove his contention that Sandhurst's regime was ruinous to the people of the Bombay Presidency. The challenge was ignored, and instead, a Moderate suggested that the motion dealt with a subject which was exclusively of provincial interest and that the Congress platform was not the forum for it. The Congress President agreed with this view and did not change it when Tilak pointed out that in the past, on many occasions, provincial subjects had been discussed at the Congress. The resolution which Tilak had wanted to move was unconventional, and an overwhelming majority of delegates were not accustomed to hearing such direct attacks. It was something extraordinary, and they shook their heads in

disapproval. And when Tilak insisted on his right to move the resolution, the President threatened to vacate the chair and resign the presidentship. That was the end of it, and the Maratha hero sat down in despair.

The next year, at the Bombay Provincial Conference, held at Satara on May 12 and 13, Tilak again raised the question, and pressed his right to move the resolution, pointing out that the provincial conference was the proper forum for it. He toned down the wording of his Lucknow draft, and the new one simply said: "The Conference deeply regrets the policy of distrust of the people adopted by Government in recent years as evidenced by the institution of press prosecutions, imprisonment of the Natu brothers, the widening of the powers of the police, and the curtailment of the rights of municipal boards, and prays that Government will abandon this policy and replace it by the noble British policy of trusting the people and striving for their welfare."

Here too the president, Gokuldas Kahandas Parekh, was against any kind of censure of Government, and instead of outright rejection, he adopted a constitutional device, which, however, did not succeed. He ruled of his own accord that the subjects committee of the Conference should consist of thirty delegates. The committee constituted by him lacked representative character, and when protests were made he added to it ten or twelve persons in order to appease the objectors. There was yet dissatisfaction against the way the committee was constituted, but it went ahead with its business. It examined the resolutions to be presented before the Conference, and dropped Tilak's resolution without assigning any reasons.

At the open session, the president was confronted with many dissentient voices, a storm of his own creation. Two petitions were handed over to him, and he was requested to dispose of these before the business of the Conference began. One petition declared the subjects committee was irregularly constituted and demanded a fresh one to be elected by the entire body of delegates. The second, signed by 124 out of 180 delegates, requested the president to place Tilak's resolution bearing on the policy of the provincial administration before the Conference even though it was not adopted by the 'subjects committee'.

There was some confusion at the meeting after the peti-

tions were delivered to the president. The president argued with the signatories and appealed to them to withdraw the petitions. Amidst utter confusion, the president tried to persuade them for two hours, and when he failed, he too, like R. C. Dutt, threatened to leave the chair, and eventually adjourned the meeting for two hours. Prolonged conclaves followed in which he entreated leaders of the district delegates to help him out of the predicament. It was agreed, as a compromise, that a mild resolution criticising the administration would be passed and that while delegates would not press their earlier demand the president would record the two petitions in the proceedings. The president's soul seemed to be in agony and the delegates had to relent. Now the Conference was a formal affair. The president read out the petitions before the Conference and said that they would form part of the proceedings. He was afraid that his association with a condemnatory resolution would bring him Government's displeasure. A number of resolutions on famine, plague, and the Natu brothers had already been adopted, and the necessity of another critical resolution was dispensed with.

Tilak did not like the way the compromise was made, and he wrote next week in the *Kesari* deprecating the timidity of those who were at the helm of public affairs: "Congresses and conferences are not meant for flatterers and such persons as raise memorials to each and every Governor, but for those who will not hesitate to voice public opinion in a fearless but temperate manner. Therefore the attitude taken by the president of the Bombay Provincial Conference was wholly arbitrary and unconstitutional."

Parekh had his reasons to behave in the manner he did. He was a mild moderate, and his knowledge that in the past Government took to task persons who associated themselves at provincial gatherings with resolutions critical of Government was his guide while he was conducting the proceedings.

Satara also repeated the performance of Lucknow. A Muslim gentleman, named Najmuddin, who was a municipal commissioner, entertained Tilak to what in Maharashtra is known a *Pan-Supari* party. It was intended to be a gesture of goodwill of local Muslims towards Tilak. He made a brief speech at the function in which he stressed on the need of communal unity without which India would not make any

progress. The next day, a meeting of about 250 Muslims was organised by some reactionaries in a private house under the presidentship of one Kaji Mahatabsha. Resolutions were passed to the effect that the Muslims did not sympathise with the Indian National Congress and similar other organisations which were organised by Brahmans, that Mohammedans had no sympathy with the views of Tilak. Copies of the proceedings of this meeting were forwarded to the Collector of Satara as a token of loyalty of the organisers of the meeting.

Tilak's incarceration and subsequent period of inactivity on account of ill-health had caused a void in the public life of Maharashtra; the fire had gone out of the Shivaji festival, particularly because his conviction was the direct result of these anniversary celebrations. In 1900, he stood up again to shake off lethargy, revive the spirit and rekindle the fire. The beginning was made with an article in the *Kesari*, which exhorted the people to show the same vigour in celebrating the festival as they did before Tilak's conviction. As honorary secretary of the Festival Committee, Tilak issued a general invitation to all people of Maharashtra to participate in the Shivaji movement, and join in the celebrations at Raigarh. Once again, there was life at Raigarh, and as in 1896, Mavlas were given free food.

Tilak's exhortation had its effect, and celebrations took place at some other places also. Once again, there appeared singing bands, wrestling matches, athletic sports, processions. There were lectures on the life and times of Shivaji, and on the Afzal Khan episode.

Tilak was a greater hero now. Receptions were held in his honour wherever he went, in any part of the country. In March, 1900, he happened to visit Banaras; barefooted the people ran for his 'darshan'. He was entertained at many parties, and would not be allowed to go unless he had spoken some words of benediction.

CHAPTER XXXI

BIRTH OF 'EXTREMISM'

We have seen how Tilak was trying to bring politics from the cloudland of words and general theories to the solid earth of reality. He put a new self-confidence, a new self-assertiveness into his people. He had his eyes clearly fixed on ultimate objectives, and in trying to give concrete reality to them he showed the astuteness of an experienced man of affairs. He discovered that politics would remain a fleshless and bloodless thing unless it was able to enlist the interests and feelings of the masses. It was one of the standing arguments of officials that the Congress did not represent the people. Tilak cleverly turned the tables on the Government by identifying himself with the masses.

It was a vivid departure from the conventional politics of the day, wholly unwelcome to the leaders of the Congress, who called Tilak an Extremist and his colleagues and followers the Extremist party. So far it was a parleying between the Government officials on the one hand and a few politicians on the other. Tilak turned thousands upon thousands of common people into agitators. He was a man of action, had the courage of conviction, and had dedicated himself to one great aim, viz., the freedom of his country. He brought down politics to practical reality, and this naturally meant suffering for which he was prepared, and for which others, Moderates as they were later called, were not. Tilak used to say that it was the natural growth of politics, and that it was wrong to call it extremism. People were suffering humiliation; their economic condition was fast deteriorating; they needed a practical leader.

Cases of 'lynching' of Indians by Europeans were often reported; sometimes the former also retaliated, but such instances were few and far between. Here is an official account of 1901: "On a preliminary analysis, we find that there were about 200 cases of assault on natives by European soldiers. These incidents were widely scattered all over the country. Besides the above 200 cases, there were also about 50 cases of attacks and assaults on *punkah* coolies and other menials

(cooks and dhobis). There were a few cases of indecent assault on women by European soldiers. Tea garden managers also assaulted coolies in five cases. But the coolies assaulted European managers in eleven cases. The ordinary civilians also assaulted the military people on many occasions. There are references to 54 such cases of assault on British soldiers by the natives."

The race arrogance of the British, increasing taxes, and ruthless collection of land revenue had made many people bitterly anti-British. The Congress with its speeches and resolutions at the annual session was hardly the answer to the people's problems. They expected such practical help from the leaders as Tilak rendered during the famine of 1896-97. That kind of politics was dubbed as extremism by the Congress leaders. If that was extremism, the people very much wanted it.

Even the progressive politicians in England deplored the Congress moderation. Some months before the close of the century, the Socialist leader, Hyndman, wrote a letter to Dadabhai Naoroji, in which he said: "I cannot help feeling contempt for the Indians here and in India who, instead of seriously taking up their own cause in a serious way, pass such a silly resolution of congratulation to the Queen as was passed at the Indian National Congress the other day. Congratulations for what? For having ruined India for two or three generations to come? It is pitiful. Men in the high positions have said to me, 'Where is the evidence of discontent, Mr. Hyndman? Where is the cry for justice from the people of India themselves? If the people are so poor and oppressed, as you say they are, surely we should hear a little more of it than we do hear!' What answer can I make to such a challenge? There is no answer."

In exasperation groups of people sometimes did come out to strike at the authority or individuals who, they believed, were oppressing them. But they were dumb, and there was little contact between them and the Congress. To arouse them even for constitutional agitation was regarded by the authorities as sedition, and leaders were not prepared to take the risk. The British people, accustomed to agitation, naturally could not believe that there was oppression in India, for those who were oppressed did not raise a voice of protest.

There was, therefore, need for an extremist party, the party

which should mobilise the man-power of the country for her political emancipation through agitation of the British variety. Tilak's imprisonment in 1897 hastened the emergence of such a party. While the Moderates admired Tilak's courage with reservation, a large number of young men at a lower rung of the ladder hailed him as the future leader of India. A demarcation line between the two schools was now visible, a new party came into existence, and after his release Tilak became its recognised leader.

For several decades individuals and certain newspapers had been giving expression to the so-called extremist viewpoints, but it was Tilak who in 1893 gave the whole affair the shape of a mass movement, which year after year was gaining impetus.

In the same year, his ardent colleague, Aurobindo Ghose—who joined him in raising the standard of revolt at Surat fourteen years later—made attacks on the Congress through the columns of the *Indu Prakash.* "The National Congress is not really national, and has not in any way attempted to become national. The Congress, which represents not the mass of the population but a single and very limited class, could not honestly be called national. It is not a popular body, and has not in any way attempted to become a popular body. The real strength of the Congress lay in the masses, the proletariat, which is the real key of the situation." Aurobindo was then in the service of the Baroda State, and his articles were anonymous. Starting his political life as a revolutionary, he drifted to constitutional leftism, and was one of Tilak's close associates.

In Maharashtra, as in Bengal, fearless writing in many Indian papers had preceded actual formation of an extremist party. In fact, the papers transcended the boundary line which extremists had drawn for themselves. For example, the *Kal,* a Marathi weekly, edited by a professor, S. M. Paranjpe, actually hailed the Chafekar brothers, who had murdered Rand and Ayerst, as martyrs. Several papers openly fanned the flames of hatred against the British rule. They were prosecuted and convicted, but they had established the need of a more progressive party, and looked upon Tilak as the leader of that party. The popularity that his imprisonment brought him made his task easy. Young men in the various parts of the country came under his banner.

Tilak had his followers in every walk of life. New devices were hit up on to make people agitation-minded and anti-British. One of them was the stage. One Anna Martand Joshi, a clerk in the Government Central Office, wrote a seven-act drama in Marathi, called *Shri Shiv Chhatrapati Vijaya.* It was to be staged in May, 1898, and the author himself was to act the role of Shivaji. But the Commissioner of Police, on getting information, called the writer and asked him to stop the performance. He also confiscated all printed copies of the play.

Another play, which was to be staged in December, and which too was prohibited, sought to glorify Tilak as the embodiment of liberty of thought. It was entitled *Lokamat Vijaya.* The play dramatised some of the incidents that preceded and followed the Jubilee night murders at Poona. Excepting a few imaginary characters, the *dramatis personae,* bearing allegorical names, was easily recognizable. For example, the hero Vicharswatantrya represented Tilak, and Ektantra (absolute authority) was the Secretary of State for India. The author's aim was to bring home to the visitors that the sovereign power should be controlled by the voice of the people (Lokamat), and not by the British bureaucracy.

Yet another play *Bandhavimochan,* which was actually staged by the Thana Literary Society, exalted Tilak, the hero of the play, and deplored those who took an unfavourable view of his writings and conduct.

Tilak knew his people; he knew that the urge for extremism was there. He, therefore, started his propaganda in his characteristic way in his own province. In extremist politics, about the turn of the century, Maharashtra gave the lead to the other provinces. It was the vigour, the tone, the life that he put into the masses that accounted for the growth of his party and propagation of his view of politics. The masses were with him, but the Moderates were in possession of the Congress.

The new development in politics so much alarmed the Government that section 124-A of the Indian Penal Code was amended so as to include in the definition of sedition anyone who "brings or attempts to bring into hatred or contempt His Majesty or the Government". The term 'dissaffection' was made to include disloyalty and all feelings of enmity. The amended Act was enforced in 1898.

"The British in India", in the words of the Secretary of State for India, Lord George Hamilton, "were sitting on gunpowder all the time." Contingents of punitive police were being drafted to places which were regarded hot-beds of political activity. The Post Office Act was amended so as to empower postmasters to detain in transit postal articles, which they suspected to be containing matter of a seditious character. This, as the new measure to widen the scope of the law of sedition, was passed in spite of strong public agitation. In certain parts of the country, Secret Press Committees were appointed to serve as press censors.

A representative of the London News Organisation, W. A. Chambers, who was present in India in 1898, described the repressive press measure as a "distinct disgrace to British India". At the Congress session of that year, he said: "I am so much astonished at the establishment of Secret Press Committees that no Englishman could approve of this arrangement. It cannot be dreamt even that such thing might happen in a country ruled by the British. Still we blame Germany and Russia."

The Government excuse was that the 'menace' of extremism had got to be met, but Lord Curzon's actions, instead of stemming the progress of extremism, which they were designed to do, helped it. His attempt in 1899 to reduce the elected members of the Calcutta Corporation to half their original number and to vest its administration in a General Committee was thought to lay an axe at the root of local self-government. This was followed by officialization of the universities, the curtailment of higher education, the abolition of open competitive tests for the provincial civil services and the enactment of Civil Official Secrets Act.

CHAPTER XXXII

"LEAD THOU ME ON"

AFTER the Lucknow Congress (1899), Tilak paid a visit to Burma at the invitation of a friend, Kashinath Chhatre, who was a circus manager and whose company had hired a steamer. It was a pleasure trip, but Tilak brought from Burma some ideas of which he made political use in India and which revived the social reform controversy of early years. After his return to Poona, he made several speeches in which, among other things, he said:

"All the reforms like absence of caste division, freedom of religion, education of women, late marriages, widow re-marriage, system of divorce, on which some good people of India are in the habit of harping *ad nauseam* as constituting a condition precedent to the introduction of political reforms in India, had already been in actual practice in the province of Burma. But there was not evident among the Burmese a feeling for their religion, their country or their trade to a degree expected of them. Therefore we can conclude that there is no inherent connection between social reform and national regeneration."

He liked the social reforms the Burmese had introduced in their society, but added: "It is borne in upon us by the situation of the Sinhalese and Burmese that the opinion of some wise person about the indispensability of social reform for national or industrial advancement of our country is entirely wrong. Far different are the virtues necessary for the development of a nation. Love of one's country, forgetfulness of petty differences, inclination and habit to work unitedly for the country—these are some of the virtues. If we are bent upon dragging India out of the morass of dependence we must begin to work in that direction. Some European writers have sought to advise us to bring about social reform as a preparation for political reform. But it is human nature that this piece of precept should stand suspect till we see with our own eyes what kind of political reform is given to Burma which is socially in a position to deserve it."

He then dealt with another aspect: "Some English officials

plead the absence of military traditions or deeds of bravery in defence of their refusal to grant political rights to the Burmese. We know that when we demand the same rights for the Sikhs, the Marathas or the Rajputs, in which case of course this excuse cannot be put forth, another excuse is ready up their sleeves. We ought never to forget that the praises that are sung of heroic deeds of Indian soldiers are equally delusive."

The reformist papers, mainly owned by Moderates, tore from the text of Tilak's speeches the passages which spoke approvingly of social reform in Burma and asked him sarcastically whether his visit to that country had brought about a fundamental change in him. The attacks of the reformist press gave rise to a prolonged controversy between it and the press of the Tilak school. What Tilak had actually said was: "I am not in the least unfavourable to social reform", and that was his attitude to the Age of Consent Bill also. His contention was, it would be remembered, that a reform should not be imposed on the people by Government. But the Moderate press still scoffed at him and asserted that at long last he had been converted to a view-point of which he was once a severe critic!

Among the extremist sections of politically consious people, both Hindus and Muslims, Tilak was getting even more popular. Writing about him later, Maulana Hasrat Mohani said in an article: "I made my first acquaintance with Lokamanya Tilak in 1900 when I was still a student at the M.A.O. College, Aligarh. About that time my fellow-students of the fourth year, B.A. class, had decided upon their making a confession of political faith openly in a meeting and a declaration of respective Gurus supported with full reasons for the choice. Several students accepted Sir Syed Ahmed Khan as their political guide; some owned Dadabhai Naoroji; a few acknowledged Surendranath Bannerjea, but I chose the Lokamanya as the ideal leader for me. Ever after I had continued opportunities of meeting Tilak Maharaj and studying his great personality at close quarters as a result of which I daily grew more and more to reverence him. I devoted myself entirely to working with him and under his lead."

His speeches during 1900 and 1901, whether at the Shivaji festival or at other public functions, were designed to disseminate ideas of nationalism and to foster unity between

Hindus and Muslims. He asked Hindus who were divided to mould themselves into a single whole. On the occasion of the Shivaji festival of 1901, he wrote in the *Kesari* (April 16, 1901): "A mere aggregation of people residing in one country cannot be called a nation. The people must be held together by such bonds as a common language, a common religion and a common history before the term can be appropriately applied to them."

In 1901, Ganapati celebrations were again held on a grand scale, and Tilak was entertained at *pan supari* parties in several places on the first day of the festival (September 16). At all these places immense crowds of people assembled to have a look at him and do him honour. Flowers were showered upon him and flags and buntings with words of welcome written upon them were hung in the premises. In one *chawl*, white cloth was spread all along the path leading to the place of his reception, for the honoured guest to walk upon. The proprietor of a dramatic company, named Patankar, suggested the raising of a suitable memorial in honour of Tilak and offered Rs. 500 for the purpose.

Surprised at the honour done to Tilak, a correspondent opposed to Ganapati celebrations and to Tilak wrote in the *Gurakhi* journal: "The people went to extremes in expressing their sense of respect for Mr. Tilak and well-nigh worshipped him as a god. But it is regrettable that Mr. Tilak himself silently acquiesced in their extravagance."

In the south, the Christian missionaries were very active those days, and were exploiting the poverty of the lower classes for the satisfaction of their religious fervour. Tilak made a tour of the most affected area, delivered speeches and called upon well-to-do Hindus to do their duty by their less fortunate brethren. Here is an extract from his speeches: "The Christian missionaries look upon famine as a divine visitation affording them a good opportunity of bringing a large number of sheep into their fold, and are, as it were, on the alert to avail themselves of such an opportunity. The community must therefore take some measures for the benefit of helpless children. Followers of the Ramdasi sect, at any rate, should take into their charge one or two such orphans in each village." At the end of this speech, which was made at Aurangabad, Tilak congratulated the people on the union existing between the Hindus and Mohammedans.

At this time Tilak's movements, according to the *Bengalee*, were "pretty closely" observed by the police and a careful watch was "maintained on his comings-in and goings-out". He was shadowed during his tours, and sleuths of the Intelligence Department reported to the authorities full texts of his utterances. Government's cautiousness is understandable for whatever Tilak said or wrote had the effect of embittering the masses against the British. If he took up cudgels against drink, he struck the first blow at the Government. "The vice of drinking," he once wrote in the *Kesari* (October 29, 1901), "has been brought amongst us in the wake of British rule. The question of temperance in India is more of political than of social import. As is clear from the reply of the Bombay Government to a memorial submitted by the Bombay Temperance Association, Government are not likely to forego the revenue derived from liquor shops. Some of the Anglo-Indian papers have the hardihood to maintain that an increase in liquor traffic is an index to national prosperity."

His activities seemed to be more spectacular among the masses than at the Congress platform where he looked more like an observer than an actor in the annual shows. Yet at the Congress sessions he was the centre of attraction. At Delhi, on the occasion of the Congress of 1900, a public meeting was held in his honour and he was presented an address of welcome by students. Of the following year's Calcutta Congress, Gandhi, in his autobiography, gives the following description: "Lokamanya was put up in the same block as I. I have a recollection that he came a day later. And as was natural, Lokamanya would never be without his *durbar*. Were I a painter, I could paint him as I saw him seated on his bed,—so vivid is the whole scene in my memory. Of the numberless people that called on him, I can today recollect only one, namely, the late Babu Motilal Ghose, the editor of the *Amrita Bazar Patrika*. Their loud laughter and their talks about the wrong-doings of the ruling race cannot be forgotten."

When Tilak rose to second the resolution entrusted to him in the third day's proceedings, he received a tremendous ovation. The assembly in front of the dais rose to its feet and cheered him vociferously. Similar ovation was also given to him in social gatherings which he attended during his stay at Calcutta. It was Calcutta that had raised Rs. 10,000 for

Tilak's defence, and to Calcutta he practically owed all the legal assistance that he got in his trial of 1897.

On his way back, he broke his journey at Nagpur. When he arrived there, large crowds of people including many leading citizens of the place and students of local schools and colleges assembled at the station to accord him a cordial welcome. Some of the local officials, among whom were to be seen the Chief Commissioner and the Police Superintendent, were also present. The crowd was so immense that many people could not obtain a sight of Tilak and had to return home disappointed. As soon as Tilak got off the train, flowers and *gulal* were showered upon him and a band began to play. His carriage was drawn by students along a short distance but Tilak threatened to get down unless they desisted from doing so. As he drove through the city the band of musicians again began to play and the people from the roofs showered flowers upon him. In the evening he was entertained to a *pansupari* party at two places. The students of the city also presented him an address at a public meeting in the Rajaram Tulsiram theatre. The theatre was crowded almost to suffocation point. But here, to the surprise of everybody, he preferred to speak on Gita rather than on politics.

The address presented to him said: "Your steadfastness and fortitude under the most exceptionally trying circumstances and the almost English energy and English grit you have shown in your various public capacities have become a great object lesson in the formation of Indian character. Your bold stand in favour of social and religious amelioration is a signal proof of your devotion to truth even at the sacrifice of those affections and feelings which you valued most. You have struggled hard to ennoble, elevate and purify public life. Your life is one continuous work of self-sacrifice. In this land and in this country's story, you have showed that the path of Duty is the only true way to Glory. With full faith in you we shall ever pray 'Lead kindly light, lead thou us on!'"

CHAPTER XXXIII

A CASE OF VINDICTIVENESS

TILAK had built up an unassailable reputation both in private and public life, but in 1901, some designing people made a determined attempt to bring him down in public estimation, and had him charged with forgery, perjury, and keeping certain persons in wrongful confinement. The case continued, in one way or the other, for over fifteen years, and cost him Rs. 50,000. He was exonerated of all the charges and honourably acquitted, but the interested persons, with readily available official help, spared no efforts to do their worst.

It was all over doing a good turn to a friend, whose name was Baba Maharaj and who was a big Sardar of Deccan. Baba Maharaj had two daughters, both married, but no son. His wife was expecting another child, but in the mean time he fell dangerously ill and, fearing that his end was fast approaching, he executed a will in which he nominated four trustees to manage his estate. Tilak was one of them. The trustees were also empowered to adopt a son for his widow, should the new-born be again a daughter. Baba Maharaj died on August 7, 1897. His widow Sakwarbai (Tai Maharaj) gave birth to a posthumous son, who, however, died after two months.

Meanwhile, Tilak was sent to jail to do his term of imprisonment. On his release in September, 1898, he heard that Tai Maharaj was reported to have developed T.B., and the trustees decided to adopt a son during her lifetime. The trustees felt that as the estate was heavily burdened with debts, a minor should be adopted so that the trustees during the period of the heir's minority would be able to clear off the debts by judicious management. The widow accepted this advice. Tilak and two other trustees were in favour of a boy from the Nizam's state, while the fourth trustee, Nagpurkar, told the widow that a boy from Kolhar would better suit her for he (Nagpurkar) would be able to persuade him to give over permanently a portion of the property to Tai Maharaj to be used during her lifetime, according to her wishes. She

was attracted to the proposal, but could not, at the same time, resist the majority opinion. Eventually, a boy named Jagannath was selected and adopted at Aurangabad in June, 1901. Information of the ceremony was sent to the district magistrate of Poona in his capacity as the Agent of the Poona Sardars.

Nagpurkar, being opposed to the whole proceedings, in collaboration with some other persons, persuaded Tai Maharaj to disown the adoption, and gave her a legal point: she had given birth to a son, not to a daughter, in which case only the trustees were empowered to find a boy for adoption; this fact invalidated the will; the material point was that a son was born—it was immaterial whether he was alive or dead.

Acting on this advice, the widow applied to the district magistrate, H.F. Aston, for the cancellation of the probate given to the trustees for the management of her deceased husband's estate. She also repudiated the Aurangabad adoption, and adopted a grown-up boy, the one who was suggested by Nagpurkar and other 'intriguing' persons. A few days later, the three trustees filed a civil suit for a declaration of validity of the first adoption and invalidity of the second. Tilak and his other two colleagues did not allow the new boy to enter the house; the doors were bolted from outside.

Then a complaint was made to the district magistrate on behalf of the widow in which Tilak was charged with interpolation in the accounts, fabricating documentary evidence, unlawfully confining Tai Maharaj and Nagpurkar for three days, etc.

Aston, in his capacity as the Agent to Government for the Deccan Sardars, was in communication with Tai Maharaj who had completely thrown herself on his mercy and protection. When the application for cancellation of probate came before him for hearing, he decided to go into the question of adoption also, though as was later held by the High Court it was not relevant to the inquiry before him. Tilak protested against this course as being illegal and refused to give evidence for establishing the first adoption. The district magistrate, as a judge, formally heard the case, and cancelled the probate holding that the first adoption was brought about by force and fraud and never completed. Throughout the proceedings, he took a partisan attitude. In his judgment, Aston made allegations against Tilak of falsely charging Nagpurkar

with criminal breach of trust before the city magistrate and using fabricated documents in support of the first adoption. Briefly the case of 'false evidence' against Nagpurkar was as follows. After the dispute over adoption began, Nagpurkar's character gave rise to suspicion, and Tilak and the other two trustees cancelled his power of attorney, and demanded the charge of jewellery of Baba Maharaj. Nagpurkar refused to do so, and Tilak filed a criminal complaint against him before the city magistrate. After the complaint had been filed, Nagpurkar expressed repentance, delivered the jewellery and agreed to act honestly in future. The complaint against him was therefore withdrawn. Aston went out of his way to dig up that case too.

Cancellation of the probate was clearly unlawful, and the district magistrate had cancelled it only to give vent to his prejudices against Tilak. Tilak therefore appealed to the Bombay High Court, which reversed the decision of the magistrate, but declined to quash the criminal proceedings instituted by Aston, holding that it had no jurisdiction to interfere in the matter at that stage.

Now came up the question of making investigation into the charges made against Tilak by Aston. The Government appointed a special magistrate named E. Clements to take up the work, but first sent the case to a C.I.D. officer, Brewin, for preliminary inquiry. Brewin examined a number of witnesses at different places, and made the following report:

"There is prima facie evidence to show that between July 15 and 20, 1901, Tilak, Khaparde (a co-trustee) and their associates were

(a) members of an unlawful assembly;
(b) guilty of the offence of rioting;
(c) guilty of unlawfully confining Tai Maharaj and Nagpurkar for a period of three days;
(d) on July 20, 1901, Tilak falsely accused Nagpurkar before the city magistrate with criminal breach of trust, and
(e) on March 3, 1902, Tilak obtained by cheating the sum of Rs. 245 from the Patel and Kulkarni of the village of Wadgaon, an Inam village belonging to the estate of Baba Maharaj."

Then there was the allegation of forgery, about which Brewin in his report said: "I think the charge would not stand as Tilak would get statements from responsible citizens of Aurangabad to prove his innocence. Besides, the document which was signed by Tai Maharaj is in Balbodh, a script which she can very well read. Her statement that she did not read it is not convincing. Besides, Tai Maharaj is said to be a young woman of loose moral character." She was the second wife of Baba Maharaj.

With regard to the second adoption, he said: "In adopting Bala Maharaj she had the express desire of retaining her ownership of the estate during her lifetime, as can be seen from the fact that Nagpurkar and Tai Maharaj had jointly obtained from Bala Maharaj (the new adoptee) an agreement to relinquish all claims to the estates, its management, and revenues during the lifetime of Tai Maharaj for a consideration of Rs. 200 per mensem."

On this report, the Inspector-General of Police, recording his opinion, said that "nothing would be gained by attempting a prosecution on the charges of forgery and perjury", and that "the prosecution had a fair chance of success on the first 'five' minor charges." The Legal Remembrancer, whose opinion was also sought, exposed the prejudicial character of Brewin's report: "Having regard to the strong view taken by Mr. Brewin on what I think are quite insufficient grounds, it certainly seems to me inexpedient that he should have anything to do with the conduct of the case."

Still the magistracy proceeded with the prosecution. Tilak was asked to give personal security of Rs. 10,000 and two sureties of Rs. 5,000 each for his appearance before the magistrate. Special magistrate Clements started the hearing on September 15, 1902. The first charge related to false complaint against Nagpurkar, and Tilak contended that trial on that charge could not proceed on Aston's action alone and that the trying magistrate had no jurisdiction to enter upon it without the sanction of the city magistrate before whom the alleged false complaint was originally made. Clements overruled the objection, but the High Court, to whom Tilak made an appeal, held that such sanction was necessary and that its absence would vitiate the proceedings. Ordinarily the case, so far as this charge was concerned, would have been dropped, but the Government was anxious to pursue it, and

went out of its way to set up Nagpurkar, by promising to pay him all his expenses, to apply to the city magistrate for sanction, since Government could not, according to law, itself apply for it. The city magistrate readily granted the sanction, but it was cancelled, in appeal by the sessions judge who held that the complaint was neither false nor unwarranted and whose decision was upheld by the High Court. The first charge therefore had to be struck off. The proceedings before Clements on other charges also were so irregular that Tilak had to move the High Court three or four times to obtain redress against wrong interlocutory orders.

On the other charges, which were brought against Tilak, in spite of the opinions of the Inspector-General of Police and the Legal Remembrancer, the special magistrate sentenced him to rigorous imprisonment for 18 months and a fine of Rs. 1,000. Tilak was taken to the Yervada prison, but was released on bail. In appeal, the Sessions Court reduced the term to six months, and the High Court acquitted Tilak of all charges.

The case dragged on for about three years, and prevented Tilak from doing much useful work for the nation. The purity of his character was vindicated and Government vindictiveness thoroughly exposed. A largely attended public meeting was held at Poona which heartily congratulated him and expressed satisfaction at the failure of Government efforts "to bring down Tilak in the eyes of the public."

Tilak then asked the Government to compensate him for the loss he had been made to undergo for no fault of his. His reasons were: the Bombay Government had practically made it a state prosecution, spending something like sixty or seventy thousand rupees on it. The unequalness of the fight imposed a heavy strain upon his resources and also caused great mental anxiety. The Bombay Government adopted extraordinary procedure in the conduct of the prosecution. The Government converted the case into a state prosecution and fought out the battle of private parties at public expense without any reasonable excuse. Without making inquiry into the Nagpurkar case and with a prejudiced mind, Aston framed a charge against Tilak. His initiation of the proceedings was vitiated by a material error of law, for no one could be prosecuted for making a false complaint without the sanction of the court before whom the com-

plaint was originally made. Government's anxiety to harm Tilak was apparent from the fact that it persuaded Nagpurkar to obtain sanction and paid him expenses also. There was nothing in the Criminal Procedure Code which would justify Government interference in the case in this way.

Tilak's reasons with regard to the other charges were: the Government reversed the ordinary procedure followed in such cases. The ordinary procedure was that if an offence was committed, the police, with the sanction of the magistrate where necessary, made inquiries, and if there was sufficient evidence to support the charge, the Government pleader conducted the prosecution before the court. But in this case instead of letting the city magistrate proceed with the case according to law, the local Government took the matter in its own hands and ordered a special inquiry. And yet, when it was suggested on high authority that the case against Tilak had no chance of success, Government persisted in proceeding against him. With full knowledge that the charges against Tilak were not tenable, the Government appointed a special magistrate to try the case. The police report which was favourable to him was kept back from the 'accused' and not allowed to go on the record of the case. All that showed the Government's anxiety to secure prosecution somehow. The Government, which exhibited such unwarranted zeal in prosecuting an innocent man, could not reasonably claim exemption from liability to pay damages to him when the High Court had completely exonerated him of all charges.

The Government rejected the application. Tilak then sent a petition to the Secretary of State for India, which too was rejected.

This was, however, not the end of the case. Designing people again dug out the case after he had been imprisoned in 1908 for six years. Severe strictures were passed against him by a High Court Judge who was his political adversary. Again his honour was vindicated by the Privy Council. That part of the story appears in the chapter entitled "Tilak vs. Chirol."

CHAPTER XXXIV

THE ARCTIC HOME IN THE VEDAS

At the end of 1898, Tilak produced another valuable work, which he named 'The Arctic Home in the Vedas', but it was not published till 1903. As he himself says, he "hesitated to publish the book for a long time because the lines of investigation had ramified into many allied sciences such as geology, archaeology, comparative mythology, and as I was a mere layman in these, I felt some diffidence as to whether I had correctly grasped the bearing of the latest researches in these sciences." During the intervening period, he discussed the conclusions he had reached on the basis of new researches in these subjects with many scholars in Madras, Calcutta, Lahore and other places. He released the book for publication in 1903, when he was sure of his grounds.

'The Arctic Home in the Vedas' is a sequel to Tilak's 'Orion or Researches into the Antiquity of the Vedas', published in 1893. While he was doing his 18 months term of imprisonment, Tilak made a deep study of the Rig Veda which Prof. Max Muller had sent him, and with the knowledge he had already gained from new discoveries in geology and archaeology, an idea ran across his mind that the ancestors of the Vedic rishis lived in an Arctic home in inter-Glacial times. The Arctic regions, though they were now desolate and unfit for human habitation, enjoyed, before the Glacial epoch, a mild and temperate climate fit for habitation. Researches carried on in the latter half of the nineteenth century in geology and archaeology established this theory which had been vaguely expressed in earlier times also. Tilak discovered references in the Vedas to some astronomical phenomena peculiar to the North Pole, and putting the discoveries of the geologists and archaeologists and his own together, he concluded that the Arctic region was the original home of the people whose descendants belonged to what is known as the Vedic Age.

By his researches into the antiquity of the Vedas, Tilak carried back the age of the oldest Vedic period to 4,000 B.C. Subsequent researches confirmed his conclusions. For

example, S. B. Dixit, a friend of Tilak, discovered a passage in the Shatapatha Brahmana, plainly stating that the Krittikas never swerved, in those early days, from the *due east*, i.e. the Vernal equinox, which served to dispel all lingering doubts about the age of the Brahmanas. Another Indian astronomer, V. B. Ketkar, in an article in the *Journal of the Bombay Branch of the Royal Asiatic Society*, worked out mathematically the statement in the Taittiriya Brahmana (iii, I, I, 5), that Brihaspati or the planet Jupiter was first discovered when confronting or nearly occulting the star Tishya, and showed that the observation was possible only about 4650 B.C., thereby remarkably confirming Tilak's estimate of the oldest period of Vedic literature.

But the question now arose whether, in that limit, the *ultima thule* of the Aryan antiquity, had been reached. While noticing Tilak's 'Orion,' Prof. Bloomfield, in his address on the occasion of the eighteenth anniversary of John Hopkin's University, had stated that the "language and literature of the Vedas is, by no means, so primitive as to place with it the real beginnings of Aryan life. These in all probability and in all due moderation reach back several thousands of years more." He further said that it was "needless to point out that this curtain which seems to shut off our vision at 4,500 B.C. may prove in the end a veil of thin gauze." Tilak held the same view, and he devoted ten years to the search of evidence which would lift up this curtain and reveal the long vista of primitive Aryan antiquity. How he worked on the lines followed up in 'Orion', how in the light of latest researches in geology and archaeology bearing on primitive history of man he was gradually led to a different line of search and finally how the conclusion, that the ancestors of the Vedic rishis lived in an Arctic home in inter-Glacial times, was forced on him by the slowly accumulating mass of Vedic and Avestic evidence, is exhaustively narrated in 'The Arctic Home in the Vedas'.

The starting point of Tilak's theory was the view expressed by certain eminent geologists that the commencement of the post-Glacial period could not be placed at a date earlier than 8,000 B.C. Evidence was discovered to prove the high antiquity of man who was shown to have lived not only throughout the Quarternary but also in the Tertiary era when the climatic conditions of the globe were quite different from

those in the present or post-Glacial period.

The close of the Pliocene and the whole of the Pleistocene period was marked by violent changes of climate bringing on what is called the Glacial and inter-Glacial epoch. But the researches conclusively established towards the close of the 19th century that before the advent of this period a luxuriant forest vegetation, which can only grow and exist at present in the tropical or temperate climate, flourished in the high latitude of Spitzbergen, where the sun goes below the horizon from November till March, thus showing that a warm climate prevailed in the Arctic regions in those days. It was in the Quaternary or the Pleistocene period that the mild climate of these regions underwent sudden alterations producing what is called the Glacial period.

If the Arctic regions were habitable and inhabited in that very early period, the question arises as to who were the people who lived there? Can we know something about them? The geologist could not answer these questions, and it was left to Tilak to fill in the gap. He dived deep into the Vedas and allied literature and brought out evidence, which unlike the geological researches, is in the shape of recorded history.

How Tilak corroborates every item of these geological researches by historic evidence makes interesting reading. The account of the life and phenomenon of the inter-Glacial period must have been handed down from generation to generation, and was penned by the poet in the Vedas many years later. Let us now compare the Polar characteristics with the evidence in the Vedas.

The Polar characteristics are: the Sun rises in the South; the stars do not rise and set; but revolve or spin round and round, in horizontal planes, completing one round in 24 years. The year consists only of one long day and one long night of six months each. There is only one morning and one evening. But the twilight, whether of the morning or of the evening, lasts continuously for about two months. The ruddy light of the morn or the evening twilight moves round and round along the horizon, like a potter's wheel. The dawn, at the close of the long continuous night, lasts for several days, but its duration and magnificence is proportionally less than at the North Pole. The other dawns will only last for a few hours.

Now, in the Rig-Veda (X, 89, 4. II, 15, 2. IV, 56, 3. X, 89, 2), Tilak discovered passages which compare the motion of the heaven to that of a wheel and state that the celestial vault is supported as if on an axis. Combining these two statements he inferred that the motion referred to is such a motion of the celestial hemisphere as can be witnessed only by an observer at the North Pole.

As to another characteristic of the Polar region, viz, a day and a night of six months each, the reference is to be found not only in the Puranas, but also in astronomical works. Tilak quotes Surya-Siddhanta (XII, 67) which says: "At Meru, Gods behold the sun after but a single rising during the half of his revolution beginning with Aries." Manu, describing the division of time says (I, 67), "A year (human) is a day and a night of the gods." In Chapters 163 and 164 of the Vanaparvam (Mahabharat), Arjuna's visit to mount Meru is described in detail and we are therein told that "at Meru the sun and the moon go round from left to right every day and so do all the stars". Later on, the writer says: "The mountain by its lustre so overcomes the darkness of night that the night can hardly be distinguished from the day." A few verses again say, "The day and the night are together equal to a year to the residents of the place." Evidently, the writer had a tolerably correct idea of the meteorological and astronomical characteristics of the North Pole. In the Taittiriya Brahmana (III, 9, 22, 1), it is said: "That which is a year is but a single day of the Gods."

Tilak has devoted several chapters to the examination of this phenomenon and describes how the programme of recitation of verses by priests was drawn so as to fit in with a long dawn. A long night of six months—what a terrible thing! In the Parishishta, the worshipper addresses the Night, "May we reach the other side in safety! May we reach the other side in safety." In the Taittiriya Samhita (I, 5, 5, 4), we have a similar prayer addressed to the Night.

In the thirteen chapters of the book covering about 450 pages, Tilak presents a mass of evidence to prove conclusively that before the commencement of the post-Glacial epoch, the North Pole regions were inhabited by the Aryan race, and that those people migrated from this place southwards in Asia and Europe, not by any "irresistible impulse" but by unwelcome changes in the climatic conditions of their original home.

The book was described by learned scholars as another sensational work of Tilak added to the Oriental literature of the world. Dr. F. W. Warren, President of the Boston University and the author of 'Paradise Found', commending the work, wrote in the *Open Court Magazine* of Chicago (September, 1905):

"Within the limits of this article no summary of the author's argument can be given. Suffice it here to say that in the judgment of the present writer, the array of the evidences set forth is far more conclusive than any ever attempted by an Indo-Iranian scholar in the interest of any earlier hypothesis. Absolute candour and respect for the strictest methods of historical and scientific investigation characterize the discussion throughout.... Whoever will master this new work, and that of the late Mr. John O'Neill on *The Night of the Gods,* will not be likely over again to ask, where was the earliest home of the Aryans?"

CHAPTER XXXV

SWADESHI AND BOYCOTT MOVEMENT

FOR a few years, the Tai Maharaj case took up much of Tilak's time, and consequently there was a conspicuous lull in the political activities of Maharashtra. The sun was under eclipse, and the authorities had a respite.

After a favourable decision in the case, there was clear sunshine again, and Tilak appeared on the stage with greater vigour. The Partition of Bengal had been decided upon, and a new life had burst forth in that province. The obvious course for Tilak at this time was to arouse the same feeling and create the same fervour for Swadeshi and boycott in Maharashtra as was to be seen in Bengal. For the first time during the British regime, a political movement touched the pockets of British industrialists. England's economic equilibrium was going to be disturbed.

In previous years, it had been constantly dinned into the ears of Indian people that Britain's commercial policy was responsible for India's economic ruin, that our cottage industry had been killed so that British manufactures might flourish. Swadeshi and boycott were, therefore, the most effective weapons to fight the British and infuse nationalism in the mass of the Indian people.

Maharashtra was receptive to the new ideas. Its self-respect had been injured, as of the rest of India, by Curzon's insulting utterances. As if to discredit the British and make Maharashtra prouder of its past, celebrations were held in honour of Nana Fadnavis at Velas. Tilak, who participated in them, made a speech in the course of which he characterised the allegations made against Nana Fadnavis as without foundation. He added: "It is the duty of the Indians, who are now in a degraded plight, to study their past history with zeal even though Government may look askance at such study. Lord Curzon accuses Indians of being liars, but Nana Fadnavis had no better opinion of Englishmen, as will be apparent from one of his letters to Mahadaji Scindia warning him to be careful in his dealings with Englishmen." (The

reference was to a Calcutta speech of Curzon in which he had said that the people of India did not have the same regard for truth as the Europeans.)

Such was the temper of politics in Maharashtra when the anti-British feeling in Bengal over the question of Partition was every day being made stronger by the press and constant political agitation. It was the most suitable time for Tilak to make common cause with Bengal and thus to regain the ground which had been lost after his imprisonment in 1897. To begin with, he came out with a leading article in the *Kesari* (August, 1905) which said:

"It appears that many of our people have not yet grasped the full significance of the boycott movement inaugurated in Bengal. Such drastic measures are absolutely necessary especially when there is a struggle going on between a people and their alien rulers. The history of England itself contains a noteworthy instance of how an angry people proceeded to chastise their King for having refused their demands. The British people are of course at liberty to rule over us; we have neither the power nor the inclination to take up arms against them. But should we not try to stop the drain of millions of rupees from the country? Do we not see how the Chinese boycott of American goods has opened the eyes of the United States Government? History abundantly proves that a subject people, however helpless, can by means of unity, courage and determination overcome their haughty rulers without resort to arms. We, therefore, feel confident that people in other parts of India will not fail to lend a helping hand to the Bengalis in the present crisis."

Then the entire Maharashtra press took up the cause of Swadeshi and boycott. At many places in the Presidency protest meetings were held; the partition was deplored and the people were exhorted to take to Swadeshi of which boycott was a component part. New organizations came into being and special committees of existing organizations were formed in order to keep the agitation going. Organizations like the Swadeshi Vastu Sabha took pledges from people that they would, so far as possible, only use hand-made goods. The Maratha Theatrical Conference asked the Marathi theatrical companies to purchase only Indian-made articles for use in their theatres.

Students were now attracted to the Swadeshi movement,

and organised a supreme effort to make the boycott of British goods successful. Strikes in educational institutions and participation of students in 'political agitation' provoked the educational authorities to take disciplinary action. Caning, fining and rustication were among the punishments meted out to erring students by the heads of their institutions.

These incidents followed Tilak's visit to and his speech at Amraoti. He spoke on the "Old and New Empires", and said: "The policy of the British is to enrich themselves by despoiling others in all possible ways. As all Empires in the past have vanished, it cannot be said that the British Empire will last for ever. It is bound to pass away just as assuredly as the sun sets, whether we or our rulers wish it or not. Under the present policy of Government, we are bound to be reduced to a state of perfect helplessness by the time such a day arrives and we are freed from the trammels of British rule. It is, therefore, a question worth consideration as to how we should secure a modicum of liberty from our rulers with a view to avert that calamity."

This was the tenor of Tilak's speeches during the Swadeshi movement which were supplemented and reinforced by his two papers. The *Mahratta*, in its column of "Selections", published the following article without mentioning the source from which it had been reproduced: "The time has come when all lies must be conscientiously eschewed from our political platform, including the white lie of loyalty. We are not loyal in any sense, as *New India* has repeatedly declared, except in the original and radical sense of mere obedience to law. Intelligent people cannot understand how loyalty, such as we so frequently profess, can at all exist in the face of the injustice and misgovernment, with which we persistently charge the rulers of the country. It is in this view that Mr. Michael Davitt, M.P., writing to the editor of the *Indian Review* about the Indian deputation to England says: 'It is not possible for a people to be sincerely loyal to an authority which grinds them down with oppressive taxation while denying them the most elementary rights of constitutional rule. If, therefore, your representatives come to Great Britain with only professions of 'devotion' and of 'loyalty' to the Empire on their lips, the British people will fail to see how this sentiment can be reconciled with the plundering misgovernment of which Indian people justly complain.' "

In September, the *Kesari* published two articles which had the effect of putting more fuel into the fire of Swadeshi agitation: "Our people should take a leaf from the book of our Government who are gradually carrying out a policy of excluding Brahmans from service by showing preference to other castes and classes and by employing the Chitpawans or Konkanastha Brahmans only where they are indispensable. In a similar manner we should show preference above all others to native and next to Japanese manufactures and, where we cannot get these, we should patronise German and other European goods not made in England. It is no use disguising the political character of the present boycott movement. The complete immunity from danger enjoyed by the British Government in India has inspired it with a spirit of recklessness and complete disregard for the opinions of the ruled. We should take advantage of the present agitated state of public mind and establish a central bureau for the collection and dissemination of information regarding indigenous and non-British manufactures. This bureau should have its branches all over the country and unremitting efforts should be made to keep up the movement not only by means of lectures and meetings, but also by the introduction of new industries."

These speeches and writings had tremendous effect on the public mind. There was unprecedented enthusiasm for Swadeshi, and the manufacturers thought of availing themselves of the opportunity which had offered itself. A crowded meeting of Gujarati and Jain mill-owners and merchants was held at which they decided to provide the market with Indian-made goods. A Muslim merchant, Ali Mohammed Bhimji, said at the meeting that the movement set on foot in Bombay about 36 years ago had taken practical shape now. They were all beholden to Tilak. At Ahmedabad an industrial association was formed "to advance the cause of Swadeshi".

Small collections began to be raised for financing small Indian enterprises. A 'Paisa Fund' had been started in 1903 under the patronage of Tilak for the advancement of industrial and agricultural education. The object of the Fund was to revive the industries of the country which, since the British occupation, had been supplanted by foreign imports which drained its wealth. Added importance was attached to this Fund now. The people were told that if everyone contributed a pice per annum, between six and seven lakhs of rupees a

year would be provided which could be utilized for setting up new industries and for sending students to Europe, America and Japan for industrial training.

Even the Ganpati festival was used to give impetus to the Swadeshi movement. The nationalist press of the Presidency gave the proposal the same enthusiastic support as it had done in case of the two national festivals when they first appeared. An editorial comment in the *Bhala* of September 1, 1905 would give an idea of such support: "The primary object of the Ganpati festival is to lay before Ganpati our political grievances and pray to him to give us the mental and physical strength for securing their redress. We should, therefore, arrange for the singing of songs on political subjects during the festival, otherwise the original aim of the celebrations would be frustrated." According to a report in *Kesari* (September 26, 1905), it was evident from the Ganpati celebrations as well as from the meetings that were being held that the agitation was steadily gaining ground in Maharashtra.

A novel feature of the Ganpati festival at Poona was that songs were sung in praise of Japan and Swadeshi movement, and a 'fitting' compliment was paid to the Japanese industrial enterprise. The function was presided over by Tilak.

The Ganpati now became a greater eyesore to the authorities, and a new rule (No. III) was made providing that no Ganpati image should be taken for immersion without a pass from the Police Commissioner, unless it was taken by a single person over his head through the streets.

The city of Bombay had so far lagged behind other parts of the Presidency, but in October, a few followers of Tilak convened a public meeting. As none of the Congress leaders of the city took a lead in the Swadeshi movement and fearing that without the association of a big leader with the work in Bombay the attempt might fail, they invited Tilak to preside over the meeting. He consented to preside in order "to pave the way", as he said in his speech, "for others who were desirous of presiding at similar meetings." He added that the Swadeshi movement was not the outcome of the Partition of Bengal, but the unsuccessful agitation of the National Congress and similar other causes were at the bottom of the movement.

He expressed his astonishment that while Congress leaders eagerly went about from house to house begging the people to decorate and illuminate their houses on the occasion of a royal

visit, they could not find time to enquire into the causes of the poverty of their countrymen. He addressed during the Swadeshi agitation, numerous public meetings in and outside the Bombay Presidency. It was, in fact, he alone who made the Presidency Swadeshi-conscious in a few months.

When the movement was already a year old, Tilak's utterances grew more forceful and his attacks on the foreign rule more piercing. Nationalism in Maharashtra was progressing rapidly, and Tilak was making maximum use of the opportunity offered by the Partition. Here is a sample of the speeches he delivered in the latter part of 1906: "If we do not wish to be white men's slaves, we should vigorously carry on the Swadeshi movement. It is the only effective method for our deliverance. The object of the movement is to do away with the system under which we are treated like slaves by Europeans and to force Government to give us all the rights of British citizenship. Some men of moderate views among us say that we should not carry on the Swadeshi movement in such a way as to draw down upon us the wrath of the official class. But we must not listen to such counsels as they are likely to hamper the progress of the movement."

Throughout 1906, he knew no rest; he visited numerous places taking the message of Swadeshi and self-government to every home. The Brahmans were told that it was sinful to use foreign sugar, and they in turn religiously passed on the injunction to thousands of men and women over whom they exercised influence.

The Swadeshi propaganda was at its zenith now, and even Muslims were now flocking to Tilak's banner. When he was on a visit to Nasik on the occasion of Ganpati celebrations in August, he was asked to deliver lectures not only in the temples but also in *durgahs* (mausoleums) and big crowds gathered to do honour to the great leader. So impatient was his eloquence and so responsive was his audience that one felt as if the British rule was going to be shaken. In his addresses to Mohammedans he exhorted them to act in co-operation with the Hindus and do their duty by contributing their mite to the Swadeshi movement.

Muslims in many places responded to his call. A meeting exclusively of Muslims was held at Dhulia in November. It was attended by leading Muslims and local traders, and presided over by a divine, Mulla Sheikh Chand. Twenty

Swadeshi meetings had till then been held at Dhulia, but this was the first meeting of Mohammedans; it was brought to a close amidst cries of *Bande Mataram* and *Allah-o-Akbar*.

In Poona, which had been the storm centre of Hindu orthodoxy, Muslims were coming forward to join hands with Hindus. In December, Kazi Saifuddin of Hyderabad addressed a mixed gathering of Hindus and Muslims, and told them that the time had arrived when the two communities should jointly act in furtherance of the interest of India and in carrying on the Swadeshi agitation for the industrial regeneration of the country.

The Ganpati celebrations of 1906 openly assumed a political character. During the festival, Tilak was on a visit to Nasik and Belgaum. He delivered a number of lectures in the two towns. The occasion of course was public worshipping of Ganpati, but in the speeches there was no trace of religion and no mention of the festival. Tilak dwelt at length on the poverty of the country, and asked the Brahman community to take a solemn oath before their goddess to use indigenous goods.

So great was his popularity at this time that people decided to celebrate his birthday on the date of Shivaji's birth, that is, July 11. In the city of Poona, there were illuminations, religious and political discourses, *mela* songs, processions. Sweetmeats of country-made sugar were distributed. The papers published ballads in praise of Tilak comparing him with Shivaji and styling him as the Shivaji of the present age.

Day after day, the nationalist press of the Presidency poured out comments and special articles on India's economic policy. Free trade, which had the effect of destroying indigenous industry, was deplored, and even the expansion of railways with British capital was deprecated.

Tilak imported the Swadeshi movement from Bengal, and the Bengalis, in turn, imported the Shivaji festival from Bombay. Ever since Tilak came in contact with Bengalis, they had made Shivaji one of their heroes, but in 1906 they invited Tilak and his close colleagues to participate in the Shivaji celebrations. Never had a non-Bengali been accorded such a grand public reception as was given to Tilak at Calcutta. The Poona leaders were "lionized throughout their stay. They were paraded through streets amidst fervent enthusiasm, their carriages were unhorsed and hauled by an enthusiastic crowd,

while they themselves were greeted with thrilling and rapturous shouts of 'Bande Mataram'. Consecrated with the sacred water of the Ganga and invoking the blessings of the gods, the orators from Poona mounted the platform."

During his stay in Calcutta, Tilak addressed several public meetings, and the Bengalis showed the same enthusiasm for the festival as the people of Maharashtra did. They hailed Shivaji as their hero and Tilak as their leader. At public meetings Tilak invoked Mohammedans to bury the hatchet and make common cause with the Hindus. A few Muslim leaders also spoke at the public meetings and vindicated Tilak's claim that Shivaji was as much a hero of Mohammedans as of Hindus. One of them was Maulvi Liaqat Husain Khan. The argument advanced by historian Maulvi Abdul Karim was invoked. Abdul Karim's view was that Shivaji was entitled to the respect of Musalmans because he abstained from desecrating mosques or showing dishonour to the Koran in the territories conquered by him. But some Anglo-Indian and English journals like the *Englishman* revived the old argument that Shivaji having treacherously assassinated Afzal Khan, the Mohammedans should hold themselves aloof from the Shivaji festival. But these provocations were of no avail. The Shivaji festival was becoming ever more popular. Indians in foreign countries also celebrated it. In 1906, the Japanese also took part in the celebrations which were held under the auspices of the Oriental Students' Association.

On his return journey, Tilak halted at several places. It was a triumphant tour in the cause of Swadeshi. In one sentence, the *Jam-e-Jamshed,* a paper antagonistic to Tilak, summed it up thus: "They worshipped him as a god, this is what we have read in the reports of Mr. Tilak's reception at Nagpur on his return from Calcutta."

CHAPTER XXXVI

NATIONAL EDUCATION

WHILE the Moderates were full of gratitude to the British for the system of education they had introduced in India, Tilak and his Extremist colleagues were thoroughly dissatisfied with it, and complained that it prevented the student from knowing the true condition of his country, and failed to prepare him for a vocation in life. "To be able to read and write alone is no education," he said. "That which gives us a knowledge of the experience of our ancestors, that which enables us to become true citizens and to earn our bread is called education."

He repeatedly asserted in his speeches that text-books prescribed for schools and colleges withheld vital knowledge from students. For example, they did not know that by a ruinous import and export policy, the British were making the country poorer, and depriving Indians of their means of livelihood. They did not know that "six crores of rupees are drained out every year from this country only for sugar. Mauritius exports to this country twenty thousand tons of sugar every year. All this is due to the industrial policy of the Government, but we do not know it. The Government will be obliged to change it if we put pressure upon it. We have come to learn these things not earlier than 25 years after leaving the colleges. Our young men should know them in their prime of life. It would not require a Dadabhai to tell us, if we had the right type of education, that every year some 30 or 40 crores of rupees were drained out of India without any return. In other countries technical and industrial education is an important part of education, but the educational institutions in India are intended to produce only petty officials."

The second item of Tilak's National Education was religious education. Throughout the freedom movement in India, we see both revolutionaries and constitutional fighters drawing inspiration from the scriptures and ancient heroes, towering among them being Tilak himself. He laid great stress on religious education. "How can a person be proud of his

religion if he is ignorant of it? The want of religious education is one of the causes that have brought the missionary influence all over the country." He differed from those who asserted that religion begot quarrels; that suggestion ran quite contrary to the very conception of religion. He would have religious education in order to put down mutual bickerings and quarrels. If true Hinduism was taught to Hindus and true Islam to Mussalmans, he argued, the inevitable result of such education would be toleration and respect for each other's faith.

Again, if the education of the kind as given in free countries was imparted in Indian schools and colleges, it would strike at the root of the British Empire in India; it was for this reason, he suggested, that the text-books conspicuously missed lessons on patriotism. In America, he said in his speeches, the Proclamation of Independence was taught in V or VI classes; in this way they trained their children in politics. Such a training was sedition in India and punishable with long terms of imprisonment.

There were some private schools which were prepared to impart the kind of education visualised by the Tilak school, but they were afraid lest they should lose the Government grants-in-aid. Therefore Tilak said: "We must start our own schools. We must begin our work selflessly." He wanted the work to be taken up by the Indian National Congress, but the Congress was not prepared to take risks.

Tilak and his colleagues, however, pursued their objective, and many national schools sprang up during the Boycott Movement. Later, most of them died out for want of funds, and during Tilak's six years' incarceration (and the consequent dismemberment of the Nationalist Party), students who had enthusiastically joined these national schools returned to the Government or Government-aided schools.

In the national schools of Tilak's conception, the medium of instruction was to be the mother-tongue, and English was to be reduced to a secondary position. "One who speaks and writes good English is said in these days to have been educated. But a mere knowledge of the language is no true education. Such a compulsion for the study of foreign language does not exist anywhere except in India. We spend 20 or 25 years for the education which we can easily obtain in seven or eight years if we get it through the medium of our vernaculars. We cannot help learning English; but there is no reason why its

study should be made compulsory. Under the Mohammedan rule we were required to learn Persian, but we were not compelled to study it."

The system of education as envisaged by Tilak was not possible, in the very nature of things, under the strong autocratic British rule; therefore, he linked the question with the struggle for freedom. The lack of a system of education which would inspire young men with love of the country and to fight for its emancipation was sought to be made good by public speeches and newspaper writings.

He would declare from public platforms: "Let the Government be displeased, we must do our duty. If the Government prohibits us from marriage, do we obey it? The same is the case with education. As men do not give up building houses for fear that rats would dig holes, so we should not give up our work for fear of Government displeasure. If perchance any difficulty arises, our young men are to face it. To fear is to lose manliness. A nation cannot progress if it cannot face difficulties."

Like the National Education, which meant for him the training of the young generation in the new spirit, national language—a common language for the linguistically divided country—was regarded by him as an important element of national unity. He was the first Congress leader to suggest that Hindi, written in Devanagari script, should be the national language of India. During the Curzon regime, the Kashi Nagari Pracharini Sabha, came out with a proposal that there should be a common script for all the Aryan languages so that when a book was printed, it might be readily intelligible to all the people speaking Aryan languages.

At a conference of the Nagari Pracharini Sabha, to which he was invited in December, 1905, he suggested that Devanagari should not only be the common script of all the Aryan languages, but also the script of the national language. "A common script," he said, "is a part and parcel of a National movement; we must have a common language in the whole of India. If you want to draw a nation together, there is no force more powerful than a common language for all."

Disintegration of the country in the past led inevitably to disintegration of the national language and to a consciousness of loyalty to regional languages. And when political unity was once again accomplished under British suzerainty, English

assumed the place of India's national language. In Tilak's scheme of things (Swaraj, Swadeshi, and Boycott) English had no place, and he urged its replacement by Hindi.

Tilak was one of the few men of his age to give thought to the linguistic problems of the country. As a shrewd politician, he anticipated difficulties, examined them and gave his solutions. Those difficulties actually presented themselves, and his solution was the solution made by Free India's Constituent Assembly. He anticipated that protagonists of various regional languages would advance the cause of their own scripts, but advised his countrymen to subordinate their local interests to the national necessity of a standard script. "Like Lord Curzon's standard time," he would say, "we want a standard script." And he would even invoke Viceregal help for it: "If Lord Curzon had attempted to give us a standard script on national lines, he would have been entitled to our respect far more than he was by giving us a standard time. But it has not been done; and we must do it ourselves giving up all provincial prejudices."

Pre-occupied with politics and shuttle-cocked between prison and unremitting public activity, he had little time to organise a movement for the national language and common script. But he gave an idea which was taken up by his successors. His approach was conciliatory, but he would make no compromise on the ultimate aim. His argument was: "The Bengalis naturally take pride in their own script. I do not blame them for it. There are others in Gujerat who say that their character is easy to write because they omit the headline. The Maharashtras on the other hand may urge that Marathi is the character in which Sanskrit is written, and therefore, it ought to be the common character for the whole of India. I fully appreciate the force of these remarks. But we must come to a solution of the question, and for that purpose discuss the subject in a businesslike and practical manner. Whatever character we adopt, it must be easy to write, elegant to the eye and capable of being written with fluency. The letters that you devise must again be sufficient to express all the sounds in different Aryan languages, nay, must be capable of being extended to express the Dravidian sounds without diacritic marks. There should be one letter for every sound and vice versa. The Devanagari is pre-eminently such an alphabet."

He was opposed to the adoption of the Roman character,

which was suggested by some as a way out of the conflicting claims of various Indian characters. "The suggestion," he emphatically asserted, "appears to me to be utterly ridiculous. The Roman alphabet and Roman character are very defective and entirely unsuited to express sounds used by us. It has been found to be defective even by English grammarians. European Sanskritists have declared that the Devanagari alphabet is more perfect than any which obtains in Europe."

To Tilak, the standardisation of script was no more or no less important than standardisation of time and weights. There was no politics in it, and he asked Government to introduce in school books of each province a few lessons in the standard script "so that the next generation may become familiar with it from its early days." As a political leader, he came in contact with people of various provinces and could understand their tongues, but he could not read their books. "If a Bengali book is printed in the Devanagari character, I can follow the author to a great extent, if not wholly, for over fifty per cent of the words used will be found borrowed or derived from Sanskrit."

During his travels, he intensely felt the lack of a national language and often gave expression to this feeling. Once while addressing the Bharat Dharma Mahamandal at Banaras (January 1906), he said at the outset: "I am sorry I cannot address you in any other language except Marathi and English. English should be boycotted for religious purposes. But I cannot help this now and hope you will excuse me."

The same spirit of unity pervaded every activity and every speech of Tilak, whether it was from a religious, political, social or any other platform. He wanted to awaken not only the political mind, but the soul of the people by linking its future to its past. His separation from the social reform movement had opened the way for the peculiar role which he played as a trusted and accredited leader of conservative and religious India in the path of democratic politics. It was this position which enabled him to effect the union of the new political spirit with the tradition and sentiments of the historic past. In his Banaras speech (under the auspices of the Bharat Dharma Mahamandal), he dilated on the same theme—the unity of India: "If you go to the different parts of India, you will find different views about Hindu religion entertained by different people. Here you are mostly Vaishnavas or followers of

Shri Krishna. If you go to the south, you will meet followers of Ramanuja and such others. What is Hindu religion then? Bharat Dharma Mahamandal cannot be a Mahamandal unless it includes and coordinates these different sections. Its name can only be significant if different sections of Hindu religion are united under its banner."

Then he went on to say how unity could be brought about and that diversity was not real. "All these different sects are so many branches of the Vedic religion. If this idea is kept in view and if we try to unite the various sections, it will be consolidated in a mighty force. So long as you are divided amongst yourselves, so long as one section does not recognise its affinity with another, you cannot hope to rise as Hindus."

And then he developed his argument so as to foster a sense of oneness among all classes of Indian people embracing different religions: "The word Dharma means a tie and comes from the root *dhri*, to bear or hold. What is there to hold together? To connect the soul with God, and man with man. Dharma means our duty towards God and towards man. During Vedic times India was a self-contained country. It was united as a great nation. That unity has disappeared bringing on us great degradation and it becomes the duty of the leaders to revive that unity."

Such was Tilak's nationalism. The Government hated it, the Moderates disliked it.

CHAPTER XXXVII

THE GROWTH OF THE EXTREMIST PARTY

THE futility of political agitation along the lines hitherto pursued by the Congress engendered feelings of discontent among the more ardent spirits in the national movement. They won their earliest psychological victory by naming the method of petitioning Parliament as "mendicancy". What was demanded, they said, was not to be asked for on bended knee, but rather as from men who had justice all the while on their side.

The Curzon regime, which put back the wheels of progress, produced political ferment, and the extremists were not slow to use it to increase their influence. They announced from housetops that the "policy of mendicancy" had miserably failed. The Deccan and Bengal were the two principal centres of the new gospel that was preached from the press and platform by an ever-increasing band of young politicians under the inspiration of Tilak, Bipin Chandra Pal and Aurobindo Ghosh.

"You know very well," Tilak said, in his speech at the Bombay Congress (1904), "that the function of the Congress has been to focuss the rays of public opinion annually. We focus the rays of public opinion annually and go away; that has been the charge against us. I say that we focus the rays of public opinion for a purpose, and not merely to bottle them (shouts of "hear, hear," and laughter), and that purpose is to direct this focus of rays to illumine the hearts of the bureaucracy that rule in India. . . . Indian Empire is a dead body and a foreign body; if that foreign body is not assimilated with the British Empire, we shall have to perform a surgical operation and take out that foreign body from the living empire." (Cheers)

While extremism was making the ground below it solid and firm, Curzon supplied it with bricks and cement by dividing Bengal into two parts. Ever since the British rule was firmly established in India, Bengal had been the vanguard of India's struggle for freedom. It was the most politically conscious

province; but it presented a peculiar phenomenon in which the British saw a hope of stemming its political progress. The eastern part of the province was very backward educationally, politically and economically compared to the western. The majority of Eastern Bengal's population was Muslim; Curzon said in one of his speeches in 1904 that the Partition of Bengal "would invest the Muslims of Eastern Bengal with a unity which they had not enjoyed since the days of the old Musalman Viceroys and Kings." He made a subtle hint to Muslims to stand aloof from the agitational politics of Hindus. He would have the Muslims believe that the partition was in their favour. His scheme produced acute Hindu-Muslim difference which resulted in terrible communal riots, loot, and murder. The bitterness, however, disappeared in course of time, and the wounds were healed up.

In his presidential address to the Banaras Congress of 1905, Gokhale said: "The tremendous upheaval of popular feeling which has taken place in Bengal in consequence of the partition will constitute a landmark in the history of our national progress. For the first time since British rule began, all sections of the Indian community, without distinction of caste or creed, have been moved by a common impulse and without the stimulus of external pressure, to act together in offering resistance to a common wrong. A wave of true national consciousness has swept over Bengal." But little was done to arouse that consciousness in other provinces by the Moderates. And when the Extremists tried to introduce the Bengal spirit in the subjects committee of the Banaras Congress, a serious difference arose between the two sections. At the time of the Congress session, the Prince and Princess of Wales were on a visit to India. In keeping with its tradition, the Congress (Moderates) wanted to offer them "most humbly and respectfully its loyal and dutiful welcome". The Extremists would have nothing of the kind, and opposed the resolution. An uneasy situation was created bordering on a crisis. But the old guard found a solution in the compromise that when the welcome resolution would be taken up, the Tilak group would walk out of the meeting. So they walked out, and a show of unity was maintained.

There was yet another occasion which threatened a split. The Moderates were not prepared to pass a resolution on the boycott, Swadeshi and national education in the way the Extre-

mists wanted it. There were prolonged conclaves between the leaders of the two groups, and finding the Extremists firm in their attitude, the Moderates yielded.

It was now clear to the Extremists that in spite of their pronounced sympathy with the agitation in Bengal, the Moderates would not let the Congress gain speed so long as they dominated it. The Extremists, therefore, formed a new party, which was called the Nationalist Party, and held an open session in the Congress Camp to discuss their future programme. The speeches made at the meeting made it clear that they should no longer hold aloft the beggar's bowl. Tilak, in his speech, expounded the idea of passive resistance. Boycott was interpreted as a comprehensive term which meant withdrawal of all kinds of co-operation from the British rulers in every sphere of administrative and public activity.

These tendencies in a reckonable section of the Congress made the new Viceroy Minto suspicious of the organisation itself. He began to think of an alternative—perhaps similar to the one which the Congress itself had provided in 1885—against the lurking dangers of organised violence of which Hume had collected positive proof. In a letter to the Secretary of State for India, Minto wrote on May 28, 1906: "As to the Congress, we must recognize them, be friends with the best of them, yet I am afraid there is much that is absolutely disloyal in the movement and that there is danger for the future. I have been thinking a good deal lately of a possible counterpoise to Congress aims." He further said: "Everybody warns us that a new spirit is growing and spreading over India. We are told, 'You cannot go on governing in the same spirit'."

For several months, before Minto sent out this despatch, his Government had been receiving alarming reports from local authorities. Here is a specimen of these reports. In September, 1905, a police inspector of Itarsi (Central Provinces) reported that there was much talk of the boycott movement in the town. "They even talk of a mutiny after seeing the article, 'Who is our king?' They look to Mr. Bal Gangadhar Tilak of Poona to do all the fanning of the flame. They say that Tilak should be called the second Shivaji. It was also said that the Marathas would once again save India."

After the Banaras Congress, Tilak and B. C. Pal went on a lecture tour. Pal was a man of great intellectual force and high character. He had travelled a great deal in Europe and

in America. His Madras lectures went into many editions and were greatly responsible for consolidating a bloc of extremists. Dilating on the boycott movement, Pal would say in his lectures: "You may get a High Court judgeship here, a membership of the Legislative Council there, possibly an executive membership of the Council. Do you want a larger number of Indians in the Civil Service? The whole Civil Service might be Indian, but the Civil Servants have to carry out orders. The supplanting of Europeans by Indian agency will not make for self-government in this country.

"They say, 'Can you boycott all the Government offices?' Whoever said we would? What we can do is this. We can make the Government impossible without entirely making it impossible for them to find people to serve them. The administration may be made impossible in a variety of ways." He advocated social boycott of Government officers.

A year of ceaseless work considerably swelled the ranks of the extremist party, but in the Congress, the Moderates were still a powerful majority. Tilak was far more popular in the country than any Congress leader, and his towering personality, his erudition, his suffering and sacrifice, entitled him to the presidentship of the Congress. During his visit to Calcutta in 1906, Pal made a proposal that Tilak should be invited to preside over that year's Congress, which was to meet in Bengal. The Moderates were nervous and they cabled to Dadabhai Naoroji, who was in England then, to return to India and preside over the Congress. It was suggested by the Extremists that this device was hit upon by the Moderates to prevent Tilak from becoming the Congress President for he would not agree to stand against the Grand Old Man of India. Acute difference had by now developed between the two sections of the Congress, and the storm which would have burst in 1906 was put off until the next session. But the subjects committee witnessed "the most uproarious and almost rebellious" scenes. It was difficult to keep order, and the Moderates were able to speak, if at all, by sheer persistence.

The new spirit was somewhat reflected in the presidential address also. It began with a quotation of Sir Henry Campbell-Bannerman that "good government could never be a substitute for government by the people themselves." Naoroji called the Calcutta Congress "the first Congress after its having come of age." He laid down Swaraj as the goal of the Congress.

This word, 'Swaraj', was for the first time used in a presidential address. The address shocked some Anglo-Indian papers. The *Englishman* remarked that the President, being called upon to quench the flames of hatred towards the British rule in India, had only used kerosene for the purpose. The Congress also adopted resolutions about Swadeshi, National Education, and Boycott. The resolution on boycott was moved by Pal; some Moderates spoke against extension of boycott to other provinces than Bengal. But the Extremists won the day.

But the Calcutta Congress threw a challenge both to the Moderates and the Extremists. The Moderates went home determined not to let the influence of the Extremists grow; the latter were equally determined to increase their power and to depose the Moderates in course of time. Government was an anxious observer. How to put down extremism was its problem. Appeasement of the Moderates by bestowing on them a few high offices like the membership of Viceroy's Executive Council suggested itself as a method of enthusing them to continue their fight against the Extremists.

CHAPTER XXXVIII

THE TENETS OF THE NEW PARTY

SOON after the 1906 Congress, Tilak started a whirlwind campaign to convert Congressmen to the tenets of the New Party and to convince people at large that it alone, and not what he called the Old Party, could deliver the goods. He examined the causes of the failure of the Old Party to produce any results. Repetition of prayerful resolutions year after year at the annual meetings of the Congress, he said, would bring no results; the remedy was not petitioning but boycott. He ruled out armed revolt, emphasising that effective boycott would hasten the end of the British rule. "We are not armed, and there is no necessity for arms either. We have a stronger weapon, a political weapon, in boycott. The whole of this administration, which is carried on by a handful of Englishmen, is carried on with our assistance. We are all in subordinate service. We are clerks and willing instruments of our own oppression in the hands of an alien government, and that government is ruling over us not by its innate strength but by keeping us in ignorance and blindness to the perception of this fact. Every Englishman knows that they are a mere handful in this country, and it is the business of every one of them to fool you into believing that you are weak and they are strong. What the New Party wants you to do is to realise the fact that your future rests entirely in your own hands."

Then he gave, in a nutshell, the programme of the new party: "So many of you need not like arms, but if you have not the power of active resistance, have you not the power of self-denial and self-abstinence in such a way as not to assist this foreign government to rule over you? This is boycott and this is what we mean when we say boycott is a political weapon. We shall not give them assistance to collect revenue and keep the peace. We shall not assist them in fighting beyond the frontiers or outside India with Indian blood and money. We shall not assist them in carrying on the administration of justice. We shall have our own courts, and when the time comes we shall not pay taxes. If you can do that by your united efforts, you are free from tomorrow."

Again, Tilak's approach to the oft-repeated Queen's Proclamation of 1858 upset the Moderates as his other utterances did. There was nothing surprising, he would say. If the British Government were not giving effect to the Proclamation, the Indians themselves were to blame, because they did not back up their demand by effective action. The Proclamation would be given effect to without a demand if there was effective action. "You got the Proclamation", he argued, "without a demand, without a Congress, and without constitutional agitation. The British wanted to pacify you as you had grown too turbulent. The Queen was very anxious that the Proclamation should be couched in such terms as would create hopes in you. All that anxiety did not proceed from constitutional agitation. It was after 1858 that the constitutional agitation began. The result was the Proclamation remained a dead letter, because you could not get it enforced. Lord Curzon pooh-poohed it. Another lawyer, Sir James Stephen, said it was unconstitutional because it was not passed by Parliament."

Tilak was, therefore, no longer prepared to wait in patience with the petitioners for Swarajya "to dawn from heaven". He recalled the days when praises were showered on the "benign rule" of the Queen from the Congress platform, but that after some years the real character of the British rule became apparent, and men like Dadabhai Naoroji, who began their lives with full faith in it, were disillusioned and disappointed. After this disillusionment and disappointment, the same method of petitioning and prayerful resolutions seemed meaningless to Tilak, and he and his colleagues launched a campaign to extricate the Congress from the quagmire of inactivity and tack it to the chariot wheel of action.

He laughed at the Moderates' faith in "benevolent intentions" of the British rulers, and at the way the Moderates felt joy over the prospect of a Liberal Government coming into power in England. "Let the Government be Liberal or Conservative, rest assured that they will not yield to you anything willingly. They are Liberals in England, but I have seen Liberals in England come out to India to get into Conservative ways." Future events fully vindicated Tilak's warning. When Morley became the Secretary of State for India, Tilak similarly deprecated the high hopes entertained in Moderate quarters over his appointment. They pinned their faith on Morley's earlier writings, his good feeling towards India, and his Liberal ideals.

Tilak's reaction to the appointment was: "The Secretary of State is the head and mouthpiece of the Anglo-Indian bureaucracy. Do you mean to say that when the whole bureaucracy, the whole body of Anglo-Indians, is against you, the Secretary of State will set it aside and give you some power? If he does, will he not be asked to walk away?" Not long after this warning was given by Tilak, Indians witnessed the helplessness of Morley and the change that occurred in his behaviour. In vain did he sometimes protest to the Indian bureaucracy against the severe sentences of imprisonment passed on political agitators. His protests were characterised as lacking appreciation of the political situation in India, which, according to the bureaucracy, was very grave. The steam roller of repression proceeded apace in spite of Morley's wish that it should move slowly. In the sphere of constitutional reforms also (Minto-Morley reforms), the Secretary of State could do but little to translate into action his ideals to which, some years before, he often gave expression. Within a short time of his taking over, he was converted to the bureaucratic way of thinking. He began to say, as the British rulers of India said, that the agitation in India was limited to some educated persons; they had no influence on the masses; that the Princes and merchant classes were on the side of the British.

This, broadly speaking, was the approach of the New Party and it differed sharply from that of the Old Party. It asked the people to realise and develop their own strength. "I admit," Tilak would say, "that we must ask for our rights, but we must ask with the consciousness that the demand cannot be refused. There is great difference between asking and petitioning. If you are prepared to fight in the event of your demand being turned down, be sure you will not be refused. Protests are of no avail. Mere protests, not backed by self-reliance, will not help the people. The days of protests and prayers have gone. Shivaji heard the protests of the people, and the Jazia tax was repealed. It is impossible to expect that our petitions will be heard unless backed by firm resolution. Three P's—prayer, pleas and protest—will not do unless backed by solid force. Look to the example of Ireland, Japan and Russia, and follow their methods. We must show that the country cannot be governed well by the present method. We must convince the Government of this. Do not rely much upon the sympathy of the rulers."

While the top leaders of the Congress had retired to a year's rest after the annual December show, Tilak was making hurricane tours and seizing every opportunity of shaking the people to a realisation that they should wake up and work for Swarajya, and infusing in them a spirit of fearlessness. At the Shivaji Coronation Festival at Poona on June 25, 1907, he spoke in the same vigorous style as he did at Calcutta:

"Festivals like these prove an incentive to the legitimate ambitions of a people with a great historic past. They serve to impart courage, such courage as an appreciation of heroes securing their salvation against odds can give. The time is surely not yet ripe for lawlessness, for we have not yet exhausted all the possibilities of what may be claimed as legitimate and lawful action. Your revolution must be bloodless; but that does not mean that you may not have to suffer or to go to jail. Though down-trodden and neglected, you must be conscious of your power to make the administration impossible if you but choose to make it so. It is you who manage the rail-road and the telegraph, it is you who make settlements and collect revenues, it is you in fact who do everything for the administration though in a subordinate capacity. You must consider whether you cannot turn your hand to better use for your nation than drudging on in this fashion. You must seriously consider whether your present conduct is self-respectful to yourselves or useful to the nation. You must also consider what humiliation you have to suffer when foreigners openly express their wonder at the three hundred millions of Indians bearing their present ignominous lot without any effective protest. To say this is not to violate the spirit of law of any constitution. What you want is courage to declare that there is no disloyalty in agitating for constitutional rights."

This kind of exhortation was deprecated by the so-called Moderates as extreme politics. But Tilak declined to pass as an Extremist and suggested that what Moderates of today called extremism was the natural growth of politics. The words 'Moderates' and 'Extremists', he said had a specific relation to time. The Extremists of "today will be Moderates tomorrow, just as the Moderates of today were Extremists yesterday." When the National Congress was first started, he further argued, and Dadabhai Naoroji's views were given to the public he was styled as an extremist. "We are Extremists

today and our sons will call themselves Extremists and us Moderates." There was reason for moderation in speeches and action in the nineteenth century. There was faith then in British intentions and declarations which had now been shaken. There was no difference of opinion about this "fundamental proposition", according to Tilak, between the Old and New Schools. But while the Old was reluctant to condemn the administration and invite its wrath, the New was angry that leaders lacked courage to speak out the truth. Tilak broke with all conventions of moderation and declared at crowded public meetings: "This alien Government has ruined the country. Pax Britannica has been established in order that a foreign Government may exploit the country. It was an unhappy circumstance that it was not realised sooner. Benevolence is used to sugar-coat the declaration of self-interest, and we were in those days deceived by the apparent benevolent intentions under which self-interest was concealed."

But the Moderates still had faith in the British doing justice to India, and Viceroy Minto, as a practical statesman, knew that if the Moderates were to be kept on the side of Government, they should be appeased, at any rate prevented from joining or sympathising, in sheer desperation, with the Extremists. This could best be done by throwing a few more high offices open to Indians, and giving the country another instalment of reforms. He, therefore, suggested to the Secretary of State that a few Indians should be appointed on the Indian Council and the Viceroy's Executive Council, and a proposal for reforms was drawn up. Beyond this the British Government was not prepared to go, and the Secretary of State for India had already informed Gokhale accordingly. On August 2, 1906, Morley had written to Minto: "Yesterday I had my fifth and final talk with Gokhale. He made no secret of his ultimate hope and design: India to be on the footing of a self-governing colony. I equally made no secret of my conviction that for many a long day to come—long beyond the short space of time that may be left to me—this was a mere dream. 'For reasonable reforms in your direction,' I said to him, 'there is now an unexampled chance'."

Morley also suggested that what was really wanted "a million times beyond political reforms" was access of Indians to the "higher administrative posts of all sorts". About four months

later, both Morley and Minto agreed on the admission of a "Native Member" to the Viceroy's Executive Council. The demi-official agreement was yet to be given official form, and in January, 1907, while considering it as an inevitable necessity, Morley felt that it "may be the first step in a dangerous journey". In the Viceroy's Council, the concession intended to be given was vehemently opposed. Minto's answer to the opposition was: "In my opinion, with our knowledge of what is going on around us, we cannot stay as we are."

Minto found himself sandwiched between the European community's opposition and the perilous unrest prevailing in the country. The state of his mind can be discovered from these words in his letter dated May 8, 1907 to the Secretary of State: "One cannot tell what effect the present conditions may have on the Anglo-Indian mind in respect of any recognition of Indian claims. I think it is quite possible that if we could have brought in our reforms by the beginning of the year the present upheaval might have been prevented or, at any rate, we might have been in a better position to control it."

The proposal for admission of an Indian to the Viceroy's Council was considered as very adventurous by Minto, and when it had been officially despatched to the Secretary of State, Minto wrote to Morley in his demi-official letter dated March 19, 1907: "I do not believe that any despatch fraught with greater difficulties and greater possibilities has ever left India. It deals with a future which no one can foretell."

In March, 1907, Gokhale met the Viceroy in connection with the proposed reforms and told him that the whole younger generation of India was going over to the Extremists' side. But the British, while recognising the fermentation in the political situation of the country, were in no mood to concede any substance of power. In his covering memorandum submitting the reforms proposals to the Secretary of State, the Viceroy plainly said: "The Government of India must remain autocratic; the sovereignty must be vested in British hands and cannot be delegated to any kind of representative assembly. No such assembly could claim to speak on behalf of the Indian people so long as the uneducated masses, forming nearly ninety per cent of the adult male population, are absolutely incapable of understanding what 'representative government' means and of taking any effective part in any system of election." The mounting terrorism, and extremist agitation led by Tilak, were

making the Viceroy nervous as is apparent from one of his letters to Morley, written in the summer of 1907: "We all feel that we are mere sojourners in the land, only camping and on the march." And Morley's reaction was: "Your way of putting this helps me to realize how intensely artificial and unnatural is our mighty Raj, and it sets one wondering whether it can possibly last. It surely cannot, and our only business is to do what we can to make the next transition, whatever it may turn out to be, something of an improvement". He curiously asked: "Will your Reform Policy, Natives on my Council, Decentralisation, Economising of Taxation, and the rest of our virtuous deeds really make a pin of difference in their feelings about British rule?"

Why were the British so terror-stricken? The year 1907 was considered very inauspicious, according to the reports made by official reporters to the Government, because in some parts of the country preparations were being made to observe the passage of half a century since the Revolt of 1857. Young men of the country were desperate; they said to each other another attempt should be made to deliver the motherland from the foreign yoke. The press appeared as a forerunner. Newspapers, pamphlets, and handbills were distributed in large numbers rousing people to revolt. According to J. D. Rees (*The Real India*, p. 171): "This agitation . . . has been spread throughout India by means of the vernacular journals with a success which an electioneering agency in England might well envy." Often the propaganda activities of the revolutionaries and extremists overlapped. Their emphasis was on the boycott movement. Even the revolutionaries inspired the youths with the name of Tilak. Everywhere the people were told that the English were exploiting and ruining the country.

In March, 1907, two dramas, *Savai Madhavrao,* and *Kichak Vadh,* written by a sub-editor of the *Kesari,* were staged by the Maharashtra Natak Mandali Company in Poona. The first, a historical drama, introduced many contemptuous references to the British who, for example, were threatened that 'if they interfered in other men's affairs, the fate of Bombay would be similar to that of Bassein (which was captured by the Marathas).'

Kichak Vadh also had a political significance. Its plot, taken from the Mahabharata, dealt with the murder of Kichak by Bhima. Kichak was intended to represent Lord

Curzon. Kichak's actions, words and some of the incidents of the play portrayed vividly the late Viceroy and his actions. The endeavour of Kichak to secure Droupadi was meant to indicate how the Partition of Bengal was carried out in opposition to the wish of every one. Droupadi represented India and her utterances described to the audience the oppression to which the country was subjected by the Government. She appealed to Dharma who represented Gokhale and Bhima who stood for Tilak to take up arms, crush her enemies and save her. The play also depicted the miserable condition of the educated classes who were shown as starving for want of employment.

In October, the Government prohibited the performance of these plays.

There was all round toning up in newspaper-writing and public speaking, and the Government of India instructed the provincial administrations to deal with the situation with a strong hand. The Home Department, in a letter (June 3, 1907), said: "The Governor-General-in-Council is unable to tolerate the publication of writings which tend to arouse the disorderly elements of society and to incite them to concerted action against the Government. Accordingly, in supersession of previous orders on the subject, His Excellency-in-Council empowers local governments to institute prosecutions in consultation with their legal advisers in all cases where the law has been wilfully infringed."

The Bombay Government had copies of this letter sent to several papers of the Presidency including the *Kesari* and the *Mahratta.*

In July, it issued a circular letter to all district magistrates: "Public speeches of a seditious character are being increasingly delivered by agitators. As soon as the magistrate of a district finds a seditious writing published in any newspaper, he should take steps to institute proceedings under section 108 Criminal Procedure Code or Section 124A of the Indian Penal Code. The Governor is of the opinion that for first prosecution section 108 should be resorted to, thus avoiding giving the flavour of martyrdom to the writer of the seditious articles. If, however, the offender repeats his crime, he would be tried under 124A and given a deterrent punishment. The district magistrate should, however, abstain from all interference with anything that can be construed to be reasonable freedom of speech."

Some magistrates showed greater zeal than the orders had required them to show. A press printed through inadvertence a pamphlet entitled "Swadeshi Movement or Opinions of Patriot Tilak", and when the proprietor learnt that it might be regarded as seditious, he brought the fact to the notice of the magistrate concerned of his own accord, after stopping further delivery of copies to the publisher. The pamphlet was not distributed; yet the translator-publisher was punished with a sentence of five years' transportation with a fine of Rs. 500. The unfortunate proprietor of the press and the printer were sentenced to three years transportation with fines of Rs. 1,000, in each case.

CHAPTER XXXIX

THE SURAT FIASCO: MODERATES CHALLENGED

THUS while the active political workers and their progressive leaders were in favour of dealing a direct blow at the British, the Congress Old Guard was not prepared to go an inch beyond its conventional line of approach. In fact there was a whisper which suggested that even the resolutions of 1906 were to be toned down. But under the leadership of Tilak, Pal and Aurobindo Ghose, the Extremists were bent upon changing the course of the Congress politics. They had heard that the Moderate leaders were perturbed over the disturbing events in the country, and that there was a proposal to drop the boycott resolution at the 1907 Congress. Tilak was determined to frustrate any such scheme.

The annual session of the Congress was to be held at Nagpur, and the local Congressmen were making preparations. A meeting of the reception committee was called; it met and dispersed in confusion, giving forebodings of the coming storm. Men of the Nationalist Party had proposed the name of Tilak for presidentship of the year's Congress. To the Moderates, who had in the past enjoyed uncontested return of their nominees, the proposal appeared to be extraordinary. They had adopted Dr. Rash Behari Ghosh, and would not yield to the 'challenge' of the Nationalists to the established practice. Differences were not resolved, and the venue had to be changed to Surat where the Congress session was held in December. The Extremists were exacerbated, and said that the Moderates, who were in possession of the Congress executive, had changed the venue in order to make matters easy for them, for Nagpur was a stronghold of Extremists and Surat of Moderates. The Extremists tested their strength in the Reception Committee formed at Surat, by proposing the name of Lajpat Rai for the presidentship of the Congress, and when Gokhale brushed aside the proposal apparently in the belief that the Reception Committee was nearly wholly behind him, they were sorely disappointed. Two of Tilak's extremist followers discussed the matter with Gokhale who told them that

"though Lala Lajpat Rai had been personally restored to freedom, the larger question of principle involved in his deportation had yet to be fought out, and it would best be fought out by keeping up the feeling of the country united and intact behind him, and this feeling was sure to be divided if one section of the Congress tried to run him as a party candidate." He next pointed out that there were other ways in which "we could all honour" Lajpat Rai, and then added, "if your object is simply to flout the Government, I can understand your proposal." To this one of the two Extremists said, "Yes, even if we do nothing else, we want to show that we are prepared to flout the Government." Thereupon Gokhale said, "I do not believe in such flouting. The Congress must, of course, express its condemnation of Government measures when necessary, but it has other important work to do. We cannot do without the help and co-operation of Government in many matters at our present stage." The conversation then turned to what the Congress goal should be, and what it should try to do. And the same Extremist—a young man who had only recently returned from England—urged on Gokhale his view that the Congress should work for absolute independence, and that it should try to teach the people of the country to hate the present foreign Government as much as possible. In reply to this, Gokhale told him: "You do not realise the enormous reserve of power behind the Government. If the Congress were to do anything such as you suggest, the Government will have no difficulty in throttling it in five minutes."

It was now clear to Tilak, who was kept duly posted with the day-to-day developments, that a fear complex had seized the Moderates, and that there were greater chances of their going back upon the 1906 Congress than recording a further progress. In fact, he had become suspicious as far back as April when at the Bombay Provincial Conference held at Surat, Pherozeshah Mehta succeeded, by his personal influence, in excluding the propositions of Boycott and National Education from the programme of the conference. In the course of the year, several such events and utterances confirmed his suspicion, the last being the official list of the subjects likely to be taken up for discussion by the Surat Congress which was published a week or ten days before the date of the Congress session. This list did not include Self-Government, Boycott and National Education, "on all of which

distinct and separate resolutions were passed at Calcutta." The press strongly commented upon this omission, and Tilak, who reached Surat on the morning of December 23, denounced such retrogression as fatal to the interests of the country, "more especially at the present juncture," at a large mass meeting held that evening, and appealed to the Surat public to help the Nationalists in their endeavours to maintain at least the status quo. He said in the course of his speech:

"We have not come to cause a split in the Congress; we do not want to hold a separate Congress; we want to see that the Congress does not go back. We solemnly say that we want to see the Congress moving with the times. But the people who brought the Congerss to Surat, although Nagpur was willing to have it, are going to drag the Congress back. They have no moral courage. They are against the word 'boycott' though they are for Swadeshi. When you profess to accept Swadeshi, you must boycott Videshi (foreign) goods: without boycott Swadeshi cannot flourish. The fight is between two principles: (1) earnestly doing what is right, and (2) doing it but not displeasing the Government. I belong to the party which is prepared to do what it thinks right whether the Government is pleased or displeased. We are against the policy of mendicancy. Many young gentlemen in Bengal have gladly suffered for this attitude. No one has any authority to make the Congress recede from its ideal. We do not come here to embarrass the Moderates; but we are determined not to allow the Congress to retrograde. If they are not prepared to brave the dangers, let them be quiet, but they should not ask us to retrograde. We have come here to fight out constitutionally; we will behave as gentlemen even if our opponents do not do so. Our opponents create rowdyism when they fear defeat. We are fighting against foreign autocracy. Why should we allow this home-autocracy? The Congress is an organization of all people and the voice of the people ought to predominate. The policy of the Moderates is destructive. I don't want you to follow it; we want to progress."

The next day a conference of about five hundred Nationalist delegates was held at Surat under the chairmanship of Aurobindo Ghose where it was decided that the Nationalists should prevent the attempted retrogression of the Congress by all constitutional means, even by opposing the election of the president if necessary; and a letter was written to the

Congress secretaries requesting them to make arrangements for dividing the house, if need be, on every contested proposition including that of the election of the president.

The situation seemed to be hopeful when the Office Secretary of the Reception Committee made it known that the resolutions complained of had not been removed from the Congress programme, but it again became gloomy when, on the morning of December 25, Tilak "happened to get a copy of the draft of the proposed constitution of the Congress prepared by Gokhale". In this draft the object of the Congress was thus stated: "The Indian National Congress has for its ultimate goal the attainment by India of self-government similar to that enjoyed by the other members of the British Empire and a participation by her in the privileges and responsibilities of the Empire on equal terms with the other members; and it seeks to advance towards this goal by strictly constitutional means, by bringing about a steady reform of the existing system of administration, and by promoting national unity, fostering public spirit and improving the condition of the mass of the people." The resolution as passed at the Calcutta Congress differed from it.

The same morning Tilak addressed a meeting of the delegates at the Congress Camp explaining the reasons which led him to believe that the Bombay Moderate leaders were bent upon receding from the position taken up by the Calcutta Congress on Swaraj, Boycott and National Education. The proposed constitution, Tilak pointed out, was a direct attempt to tamper with the ideal of Self-Government on the lines of the self-governing colonies, as settled at Calcutta and to exclude the Nationalists from the Congress by making the acceptance of this new creed an indispensable condition of Congress membership. Tilak further stated that if they were assured that no sliding back of the Congress would be attempted the opposition to the election of the President would be withdrawn. The delegates at the meeting were also asked to sign a letter of request to Dr. Ghosh, the president-elect, requesting him to have the old proposition on Swaraj, Swadeshi, Boycott and National Education taken up for re-affirmation; and some of the delegates signed it on the spot. Excepting a few, all those present at the meeting admitted the reasonableness of Tilak's proposal.

Tilak did all that was humanly possible to avoid a show-

down. At the suggestion of Lajpat Rai, he agreed to a joint committee, representing the points of view of the two sides, settling the question in dispute. But when Lajpat Rai repeated the suggestion to Gokhale, the latter expressed his inability to agree to it on the ground that such an extraordinary course had never been adopted in the past and that it was difficult to constitute a committee which could speak in the name of the entire body of delegates. Gokhale's stand seemed to be that decisions in the Congress had been and would be taken by majority, and should therefore be binding on the minority. The Extremists' reaction to this was: "The retrogression of the Congress was a serious step, not to be decided upon only by a bare accidental majority of any party, either in the Subjects Committees or in the whole Congress (as at present constituted), simply because its session happens to be held in a particular place or province, in a particular year; and the usual unanimous acceptance of the president would have, under such exceptional circumstances, greatly weakened the point and force of the opposition."

On the morning of December 26, Tilak, Khaparde, Aurobindo Ghose and some others saw Surendranath Bannerjea at his residence. Tilak told Bannerjea that the Nationalist opposition to the election of the President would be withdrawn, if the Nationalist Party were assured that the status quo would not be disturbed; and if some graceful allusion was made, by any one of the speakers on the resolution about the election of the President, to the desire of the public to have Lajpat Rai in the chair. Bannerjea agreed to the latter proposal as he said he was himself to second the resolution; while as regards the first, he asked Tilak to see Gokhale and Malvi, the chairman of the Reception Committee. A volunteer was accordingly sent in a carriage to invite Malvi to Bannerjea's residence, but the volunteer brought a reply that Malvi had no time to come as he was engaged in religious worship. During the day Tilak made persistent efforts to get access to Malvi, but could not find him. A little before 2-30 P.M., word was brought to Tilak that Malvi was in the President's camp, and Tilak sent a message to him from an adjoining tent asking for a short interview, to which Malvi replied that he had no time as the Presidential procession was being formed.

As if to deepen the suspicion of the Extremists, although the session of the Congress had begun, on December 26, the

delegates had not been supplied with copies of draft resolutions until that afternoon, the delay being ascribed by Gokhale to printing difficulties in Surat, but was regarded by Extremists as intentional. A cursory glance over the draft paper at once convinced the Extremists that their fears were not unfounded and that the Calcutta resolutions had actually been tampered with.

The Surat Congress was intended to be a grand show. The pandal erected for it was a large square with seating capacity for over 7,000, and the whole place was filled to its utmost capacity. Long before the Presidential procession arrived, the delegates and spectators had taken up every available seat and some Extremist leaders took the opportunity to harangue their followers. An Extremist leader of Nasik, Khare, intimated to a group of Maratha Extremists that the Congress should be asked to include the resolutions on Boycott, Swaraj and National Education in the year's programme and if this was not considered favourably, Tilak would oppose the motion formally voting Dr. Ghose to the presidential chair. This announcement was received with approval and applause by the Extremists. There were appeals made to the spectators by some Extremists, and for over an hour before the President's arrival, there was excitement among Tilak's followers and there was also visible intense anxiety among the Moderates. The Extremists had expressly decided at their Conference held the previous day to oppose the election of the President "only by solidly and silently voting against it in a constitutional manner." Disturbance of any kind was to be avoided.

But in an excitable gathering, everything does not go according to plan, and when Dr. Ghose arrived, accompanied by Sir Pherozeshah Mehta and other members of the Congress executive, there were, amidst loud cheering, shouts of "shame" from a section of the Extremists and visitors.

The changes made in the Calcutta resolutions may be briefly described.

The Calcutta resolution on the Swadeshi Movement called upon the people of the country to give preference to indigenous over imported goods "even at some sacrifice". The Surat draft asked preference to be given "where possible", and omitted the words "even at some sacrifice". In 1906 these words were introduced at the end after long discussion and as a compromise between the two parties. The Extremists apprehended

that Gokhale and Mehta this year wanted to regain the ground they lost at Calcutta.

On the Boycott Movement, the Calcutta resolution used the words "the Boycott Movement inaugurated in Bengal", but the draft sought to replace them by "the boycott of foreign goods resorted to in Bengal". The 'Boycott Movement' was regarded as a comprehensive term including in its scope not only boycott of foreign goods but of many other things, such as administrative machinery itself, as was indubitably indicated in the speeches of Tilak and other Extremist leaders.

The Calcutta resolution on National Education called upon people to organise a system of education "on national lines and under national control." The draft deleted the words quoted, and this was considered a vital omission by the Extremists.

When the session of December 26 began with the speech of the chairman of the reception committee, draft resolutions had not yet been distributed, and the house heard him with attention. In the course of his speech he made some observations which may be reproduced here as they give an idea of the year's political situation. He said:

"Since the Congress met last year we have passed through very troublous times. Eminent Indians have been seriously suspected [of] and charged with the highest offence against the State, exciting sedition, rioting and the like, in most cases without justification. Somehow the idea became prevalent among the ruling classes that the present year, being the 50th year since the Indian Mutiny, Indians were preparing for a similar revolt, and a sort of panic seized them. To check this imaginary revolt all sorts of repressive and reactionary measures were taken. Old obsolete enactments, of the existence whereof no one ever even dreamed, were brought into requisition for the purpose of punishing people for undefined offences assumed to have been committed, without giving any notice to the victims of the charges laid at their door, or giving them an opportunity of meeting those charges. The people in certain localities were assumed to harbour treasonable intentions, and meetings were prohibited in those districts. We have now a very dangerous statute in the shape of the Seditious Meetings Act, capable of general application throughout the country, by a notification in the Government Gazette, thrust upon us."

But when Malvi dealt in his address with the work done by

the Congress in the past and hoped that it would continue its policy of moderation and loyalty, the ire of the Extremists was roused, and they hissed and cried, "No, no." And then they several times attempted to interrupt him whenever they heard him preach moderation. When he sat down and Dewan Bahadur Ambalal Sarkarlal Desai proposed Dr. Ghose for the presidentship with a short speech in which he extolled his patriotic services, cries of "No, no" were flung at him by the Extremists. Surendranath Bannerjea then rose to address the assembly, but he was frequently interrupted by Extremists who called loudly for Tilak and Lajpat Rai and would have none of Bannerjea. At this stage the chairman of the reception committee stood up and warned the Extremists that if they kept on like that, the sitting would be impossible, and he would be compelled to suspend the Congress. But the Extremists who demanded assurance about the four resolutions, and were sore because such an assurance in unequivocal terms was not forthcoming, were not prepared to surrender. Meanwhile some parleying went on among the leaders and a movement in the direction of Tilak and Khaparde was noticed with a view to persuade them to intervene. This attempt was unsuccessful. Noisy demonstrations continued, making it impossible for the session to continue, and Malvi therefore suspended it.

In the evening the Extremists again held their Conference and authorised their Committee, appointed on the previous day, to further carry on the negotiations for having the status quo maintained if possible, failing which it was decided to oppose the election of Dr. Ghose by moving such amendment as the committee might decide or by simply voting against his election. The Extremist members were further requested by Tilak and other leaders—and they unanimously agreed—"not only to abstain from joining in any such demonstration as led to the suspension of that day's proceedings, but to scrupulously avoid any, even the least, interruption of the speakers on the opposite side, so that both parties might get a patient hearing."

At night (about 8 P.M.), Chunni Lal Saraya, vice-chairman of the reception committee, went in his unofficial capacity to Tilak and said that he intended to arrange for a meeting that night between Tilak and Gokhale at the residence of a leading Congressman to settle the differences between the two parties. Tilak agreed and told Chunni Lal that he would be glad to be present at the place of meeting at any hour of the night.

Chunni Lal then left to consult Gokhale, to take an appointment, but never returned. Perhaps Gokhale did not agree. The next morning, another attempt was made by Tilak and Khaparde for a settlement, but to no avail. Tilak then told a common friend, who asked him what he intended to do now, that "if no settlement was arrived at privately owing to every leading Congressman being unwilling to take any responsibility in the matter upon himself, he would be obliged to bring an amendment to the proposition of electing the President after it had been seconded. The amendment would be to the effect that the business of election should be adjourned, and a committee, consisting of one leading Moderate and one leading Nationalist from each Congress province, be appointed to consider and settle the differences between the two parties, both of which should accept the Committee's decision as final and then proceed to the unanimous election of the President. He undertook to convey the proposal to Sir Pherozeshah Mehta in the Congress Camp and asked Tilak to await his reply. After half an hour he returned and told Tilak that nothing could be done in the matter, adding that "if both the parties proceeded constitutionally, there would be no hitch."

On receipt of this reply, Tilak wrote in pencil the following note to the chairman of the reception committee:

"Sir, – I wish to address the delegates on the proposal of the election of the President after it is seconded. I wish to move an adjournment with a constructive proposal. Please announce me.

Yours Sincerely,
B. G. Tilak,
Deccan Delegate (Poona)".

The proceedings of the day commenced at 1 P.M. (December 27) when Surendranath Bannerjea was called upon to resume his speech, seconding the election of the President. Tilak was expecting a reply to his note, but not having received one had a reminder sent through N. C. Kelkar. Still no reply was received. Then Tilak who, though allotted a seat on the platform, preferred to sit with the delegates in the front row, rose to go to the platform immediately after Bannerjea and Motilal Nehru, who supported the motion and who were calmly heard by all, had finished their speeches. But he was held

back by a volunteer. In the meantime, the chairman hurriedly put the motion to vote. On one side there were cries of "all, all", and on the other, from what seemed to be a minority, there were shouts of "no, no". The chairman declared the motion carried and Dr. Ghose was installed in the presidential chair. While all this was going on—it was done hurriedly—Tilak, pushing aside the volunteer, succeeded in getting to the platform just when Dr. Ghose was moving to take the presidential chair. As Tilak stood up on the platform he was greeted with shouts of disapproval from the members of the reception committee on the platform, and the cry was taken up by other Moderates.

Tilak repeatedly insisted upon his right of addressing the delegates, and told Dr. Ghose, who attempted to interfere, that he was not properly elected. Then a little argument ensued between the two, and Malvi told Tilak that he considered Tilak's notice as irregular and out of order, and that there the matter ended. Tilak pleaded in vain that Malvi neither declared so in meeting nor gave a reply in spite of a reminder. Malvi authoritatively told Tilak that since Dr. Ghose had been duly elected, Tilak should obey him and resume his seat. "No," retorted Tilak, "he has not been duly elected; the chairman did not ask even for a show of hands in favour of or against the motion." Perhaps in order to silence him, the President-elect began to read his address.

A wild uproar had already commenced. The Extremists retaliated against the shouts of the Moderates by louder cries of "shame, shame". The Moderates cried out, "Tilak must sit down", and the Extremists shouted, "Tilak must be heard." At this stage Dr. Ghose and Malvi said that Tilak should be removed from the platform, and when the secretary of the reception committee touched Tilak's person with a view to carrying out the chairman's order, Tilak pushed the gentleman aside and again asserted his right of being heard, declaring that he would not leave the platform unless bodily removed. With the determination of Abhimanyu, Tilak stood on the platform, facing the delegates with his arms folded over his chest.

In this state of confusion, a shoe came flying from the delegates' benches and hit Pherozeshah Mehta on the side of the face after touching Surendranath Bannerjea, both of whom were sitting within a yard of Tilak. As if this were a signal

for the disturbances to start, chairs were seen being lifted to be thrown at Tilak by persons at the foot of the platform, and some of the Nationalists rushed on to the platform to his rescue. But according to the Moderates' version, "there was a general movement among Tilak's followers to rush to the platform with sticks in their hands. Chairs were also hurled towards the platform, and it was seen that Tilak's followers, who were brandishing their sticks wildly, were trying to rush to the platform which the other delegates were endeavouring to prevent". It was now clear to Dr. Ghose that it was impossible for him to conduct the proceedings, and he adjourned the assembly *sine die*. In a statement issued later over the signatures of Tilak, G. S. Khaparde, Aurobindo Ghose, H. Mukerjee and B. C. Chatterjee, they returned the charge which the other party had laid at their door. "It must be stated that the Surat Reception Committee, composed of Moderates, had made arrangements the previous night to dismiss the Nationalist Volunteers and to hire Bohrah or Mohammedan goondas for the day. These with lathis were stationed at various places in the pandal and their presence when detected was protested against by the Nationalist delegates before the commencement of the Congress proceedings of the date. But though one or two were removed from the pandal, the rest now took part in the scuffle on behalf of their masters." Moderates on the other hand alleged, as one of their spokesmen, R. N. Mudholkar, said, in a press statement: "Among the Extremist delegates and visitors taken from Berar were gymnastic teachers, proclaimed touts, workmen from factories, fitters, oilmen, etc. There were, I am told, barber delegates from Nagpur, who for money spent on them, made some small return by shaving the Nationalist delegates." But the *Kesari*, in its issue dated December 31, 1907, complained that "the myrmidons of the Mehta-Gokhale clique tried to throw as many obstacles as they could in the way of the Nationalists. Even the jehus at Surat were induced to refuse fares to the Nationalist camp, while houses engaged for the accommodation of the Nationalist delegates were refused to them at the eleventh hour in consequence of unfair pressure having been brought upon the landlords concerned."

In their joint statement, the Extremist leaders summed up the situation thus: "What Tilak demanded, by way of amendment, was an adjournment of the business of the election of the

President in order to have the differences settled by a joint conciliatory committee of leading delegates from both sides. Whether this was in order or otherwise, Tilak had certainly a right to appeal to the delegates and it was this consciousness that led Malvi and his advisers to hastily wind up the election business without sending a reply to Tilak or calling upon him to address the delegates. It was a trick by which they intended to deprive Tilak of the right of moving an amendment and addressing the delegates thereon. As for the beginning of the actual rowdyism on the day, some of the members of the reception committee itself were responsible. The silent hearing given by the Nationalists to Mr. Bannerjea on the one hand, and the circulation of the inflammatory leaflet and the hiring of the goondas on the other, further prove that if there was any pre-arrangement anywhere for the purpose of creating a row in the pandal, it was on the part of the Moderates themselves."

Again, the Extremists' information that the President's prepared address contained unfavourable references to the Nationalist Party was confirmed when the undelivered address appeared in the newspapers which had been supplied with advance copies.

In the evening (December 27, 1907) and the next morning some well-meaning delegates from the Moderates' side went to Tilak, and asked him if a rapprochement was still possible, and to each of them Tilak gave the following assurance in writing:

"Dear Sir, — With reference to our conversation and principally in the best interests of the Congress, I and my party are prepared to waive our opposition to the election of Dr. Rash Behari Ghose as President of the twenty-third Indian National Congress, and are prepared to act in the spirit of forget and forgive, provided, firstly the last year's resolutions on Swaraj, Swadeshi, Boycott and National Education are adhered to and each expressly reaffirmed; secondly, such passages, if any, in Dr. Ghose's speech as may be offensive to the Nationalist Party are omitted. Yours, etc. B. G. Tilak."

This letter was taken to the Moderate leaders, but no compromise was reached.

The next day, a convention of the Moderates was held in

the Congress pandal, from which the Nationalists were excluded although some of them were ready and offered to sign the requisite declaration. On the other hand, those who did not wish to go back from the position taken up at the Calcutta Congress and honestly desired to work further on the same lines met in a separate place the same evening to consider what steps might be taken to continue the work of the Congress in future.

Thus ended the twenty-third session of the Indian National Congress which had promised to show to the world that the Congress was really a Parliament of India in which there was an opposition party also. The Anglo-Indian press of the time, which always ridiculed Indians, while generally deploring the incident could ill disguise its satisfaction at the threatened collapse of the national movement. One paper used the incident as a most powerful argument against establishment of representative institutions in India. It asserted that if the Indian Legislative Councils were made elective they would soon be converted into so many bear-gardens. The Liberal organ, the London *Daily News,* however, "hoped that the fiasco at Surat may do good, and that the failure of the Moderates was due to the slow pace and grudging scope of British reforms," and urged the "adoption of a policy of restoring faith in British wisdom and justice."

CHAPTER XL

"SWARAJ IS MY BIRTHRIGHT, I WILL HAVE IT"

THE Surat fiasco made it clear that the Moderates were not in a mood to yield to the other party an inch of land in which to plant extremism. They knew that once planted, it would grow. They were not prepared for any compromise, but Tilak continued to make offers and gestures of a re-union. He was ridiculed, abused and even called a traitor, and yet he stretched out his hand in friendship. After the abandonment of the Congress at Surat, a Moderate-sponsored public meeting condemned 'Tilak's behaviour'. The Moderate press indulged in wild abuses: "Tilak had been feeding the flames which have burnt the Congress to ashes. He is not a patriot, but a traitor to the country, and has blackened himself. May God save us from such 'patriots'." This is typical of many leading articles in the Moderate press; they seemed to vie with each other in abusing Tilak. He ignored them, and in a reasoned article in the *Kesari* pleaded with the Moderates to accommodate the Extremists. He said: "It is a mistake to suppose that a difference of opinion as to ultimate ideals should prevent Indians from co-operating with one another, for gaining a common end. We see that Radicals, Socialists, Democrats and others, though labouring for widely different ideals, are able to co-operate with one another in Parliament in advancing the interests of their country as a whole. With this example before our eyes, does it not betoken a lack of liberality to insist that the representatives of a certain school of Indian politicians should alone be admitted to the National Congress? The duty that lies before our politicians is not to seek to eradicate all differences of opinion, but to secure the co-operation of men holding divergent views for the accomplishment of commn ends. Whatever our differences may be about the ideals, we, Moderates and Extremists, should unite in carrying on the work of the National Congress. The rise of a new party necessarily produces friction with the old, but it is the duty of wise men not to make much of this friction but to carry on national work in co-operation with the new party."

The Moderates did not relent. The Extremists were not prepared to recede; they, in fact, had decided to go ahead with their programme with redoubled vigour. The whole of Maharashtra had gone extremist, and a considerable part of political Bengal was in favour of the politics of Tilak and Aurobindo. A few months after Surat, both the provinces demonstrated their faith in the extremist leadership. Maharashtra did it repeatedly.

Soon after his return from Surat, Tilak sent round his lieutenants all over the district of Poona to establish Taluka associations. This was the first attempt of its kind in the history of Maharashtra; there were no political organisations in the countryside, and having established a network of them, Tilak convened the first Poona District Conference which held its lively sittings for three days. All those resolutions over which a battle was fought at Surat were passed here. Tilak moved the resolution on National Education, and in the course of his speech said: "The question of national education is peculiar to India as being a country in which the interests of the rulers and the ruled are conflicting. The name of Swarajya is forbidden in the schools set up by the Government. Under the name of discipline, everything likely to teach boys about national salvation is denied to them, both in Government and aided schools. Text-books in other countries taught that it was glory to die for one's nation; it was not so in the case of text-books in India."

At the district conference also, a Moderate wished to substitute "boycott of foreign goods" for "Boycott Movement", in the resolution on the Swadeshi and boycott movement; his amendment was defeated by an overwhelming majority.

One of the fourteen resolutions adopted at the conference appealed to the leaders of various parties to sink their differences and restore unity in the Congress. It was done at the instance of Tilak who had, on the eve of the conference, again expressed, through the columns of the *Kesari*, a pious hope of unity: "It is the fear of the Extremists that has induced Government to coquette with the Moderates and not any love for the latter. If at such a juncture Government grant any rights to the people simply with a view to please the Moderates, the Extremists will not grudge to accept them, for they will be for the good of the country as a whole. But at the same time the Moderates should take care to remember that it was

the activity of the Extremists that ultimately secured the rights and should not therefore break away from them."

After the district conference, Tilak proceeded to seek the approval of the Bombay Provincial Conference to his political programme. The year's provincial conference was held at Dhulia in the last week of April, under the presidentship of a Rao Bahadur G. V. Joshi. Surprisingly enough, he showed the enthusiasm of an extremist. When Tilak entered the pandal a vociferous reception was accorded to him and, by loud gestures, his victory was assured. The unwholesome treatment he received at Surat sent up a wave of enthusiasm for him in Maharashtra, and many people, who had kept themselves away from politics, came under his banner. There was aroused an overflowing zeal for Swadeshi.

Thus the Dhulia Conference promised to be a brilliant success for Tilak. The speech he made there was received with thunderous applause. He said: "It is now over 90 years that the British have been ruling over us and the time has, therefore, arrived to consider whether we are now better off than formerly. It is a fact that we have been reduced to poverty under the British rule. How has this poverty entered our homes? Formerly, our rulers, both Hindus and Mohammedans, used to look to the welfare of their subjects. If a ruler does not care for his subjects, how can he be a sovereign? For what are we to pay him taxes? What right has he to expect them from us? The bureaucrats who take our money without caring for us are only taking wages of inequity. The first days of the British rule dazzled us by its glamour, but we have now come to see its deceptiveness. The Government has granted us liberty to drink, but other liberties we do not enjoy. The present Government of India is a mighty government but, if our own people who carry out its behests refuse to help it, it will not be able to go on. If a rule becomes unbearable, it is everyone's duty to obstruct its operation."

Continuing he said: "He who has set his face towards the temple of the Goddess of Independence will never approve of independence under British suzerainty. A powerful bureaucracy is oppressing and impoverishing the people. The Government desires to provide for the Whites alone; that was not the policy of the Mohammedan rulers. The people, it is true, should not be guilty of treason to their king, but is it proper for the king to turn traitor to his own subjects? The king

who does so, forfeits his authority. We are fighting amongst ourselves as Moderates and Extremists, but they are prepared to throw both of us overboard. Therefore let us unite and give them a bit of our mind. Let us call upon them to account for the crores of rupees they take from us. Let us put a check upon the king who is robbing us with both hands."

Tilak got the reception committee of the Conference and the Conference itself to adopt a resolution demanding full autonomous status for India. A delegate of moderate leanings moved an amendment which would have had the effect of excluding from the Congress those whose avowed aim was the attainment of an autonomous status unfettered by English rule. The amendment got only three votes and was rejected.

The entire moderate press was shocked by the resolution which virtually aimed at terminating the British rule, and yelled out angry comments: "Now that the proceedings of the so-called Provincial Conference are before the public," one paper wrote, "it is easy to see how Mr. Tilak's professions of his desire to work in a united Congress cannot be relied upon. Is a re-united Congress possible on the basis of such slippery principles and methods?" Another paper suggested: "From its inception, it has been the aim of the Congress to carry on its work by constitutional means, and for such a body to entertain other ideals is as good as courting the charge of treason. Some of those who have been thinking of attaining Swaraj, untrammelled by British rule, have been misled into imitating the methods of anarchists. These people can never be received into its fold by the Congress." The moderate press did not even like the Conference resolutions on swadeshi, national education, etc. It characterised as 'deplorable' president Joshi's address in which he attributed the Surat fiasco to the failure of the Moderates "to see the signs of the times".

Again, as if to avenge Surat a mammoth public meeting was held at Dhulia in honour of Tilak. The organisers did not allow the police to loiter in the compound. In a long speech, Tilak described the condition of India and her peasantry under the British rule. After the showdown, the Nationalists formed themselves into an association called the Surat Nationalists Association. The Moderates having gone on a year's retirement, the Nationalists carried on their work from day to day. They held public meetings on every Sunday and spoke on Swadeshi and Swaraj.

As if the whole burden of preparing the country for Swaraj, which he had desired the Congress to carry, had been shifted to his shoulders, Tilak knew no rest after Surat. Single-handed, he launched a many-sided struggle, and kindled the fire of patriotism in every nook and corner of the Bombay Presidency. He made whirlwind tours, collected money for starting a Marathi daily (*Rashtramat*), and to make self-supporting the Samaratha Vidyalaya which had been started to impart national education of his conception. In the numerous speeches he made, he exhorted the people to work for Swaraj and be ready for suffering. That was the subject of his speech at the Shivaji celebrations also. "We are at present clamouring for Swarajya," he said, "and therefore the Shivaji festival is the most fitting one for us to celebrate. If Shivaji was able to establish Swarajya two centuries ago, we too may expect to achieve it some day. Swarajya belongs to us by birthright. The Moderates can be compared to Shivaji's father Sahuji, who always used to advise his son not to take up arms against the mighty Mohammedan monarchies of the Deccan. But Shivaji, who can be compared to the Extremists of the present day, gave a new turn to events. We are masters of our fortunes and can govern them if we only make up our minds to do so. Swarajya is not far off from us. It will come to us the moment we learn to stand on our own legs."

At every meeting, at every function, that he attended, he gave this slogan: "Swarajya is my birthright; I will have it".

CHAPTER XLI

THE TEMPERANCE MOVEMENT

ONE subject, which had been commented upon by the Maharashtra press almost every week for about half a century was the excise policy of the Government which resulted in an ever greater encouragement of the habit of drinking. Year after year, the Congress passed resolutions imploring the Government to restrict the sale of liquor; but the Government answer was the opening of a larger number of shops. The excise was a source of considerable revenue, and the provincial Government, therefore, did not listen even to the advice of the Government of India. The latter had laid down a policy which required provincial authorities to consult local public opinion before opening new shops. The policy was never followed by the excise authorities.

An Indian Temperance Association was formed in the early eighties in order to bring moral pressure on the Government. Its prayers were not heeded. At provincial gatherings, the speakers criticised the Government's callousness and unsatiable lust for money, but the Government was in no mood to lose a pie of excise revenue. In the nineteenth century, a struggle against any evil in which the Government was involved was out of the question.

But now Tilak had galvanised the whole atmosphere; the people were receptive to any advice for action; they were prepared to assert their right to discourage drink, even if such assertion affected state revenues. Some years before they had lacked the courage to express themselves; they had it now in an adequate measure. There was a thrilling ovation when, at the Poona District Conference, Tilak condemned, while supporting the resolution against the Abkari policy of Government, the way the excise authorities were making the people consume more and more liquor. There was a limit to obedience to laws, he said. "It is in vain to expect Government to stop drink. The younger generation must make an effort and show that they prefer suffering to drink."

Some suggested that prohibition propaganda should be intensified by means of magic-lantern displays and such

other methods. Tilak's approach was different. In India, unlike in Western countries, the drink habit was looked down upon; a drunkard was a hated man. Public opinion against drink was already there. If it was consulted, an overwhelming majority would vote against the opening of liquor shops. To start and carry on a propaganda among the people who were morally sound was like carrying coal to Newcastle. It was the Government which encouraged drinking and appeals made to its good sense having failed, what was now necessary was direct action. That was Tilak's approach, and he suggested picketing of liquor shops as an effective way of checking the growth of the evil. "Picketing is an innocuous method and does not offend against the law," he said.

The suggestion was received with thunderous applause. Many young men came forward to offer themselves as picketing volunteers. A Volunteer Corps was formed, and in a few days peaceful picketing was started before the principal liquor shops in Poona. The very sight of volunteers had the effect of reducing the number of buyers; many went back to avoid embarrassment to themselves. And fairly large numbers of those who still turned up shamefully yielded to the entreaties of the volunteers. In the past, systematic efforts had been made by the Association and some other organisations, but none had succeeded so brilliantly as the picketing did. State revenues from liquor, it seemed, would drop to an insignificant amount; drink-suppliers faced extinction of their business. In anger, they pushed aside the volunteers, abused them, and even threatened to give them a beating. The disciplined volunteers put up with all these calmly, and were never provoked. They creditably behaved as the rules of the Poona Temperance Association required them to behave.

The organisers of prohibition and picketing were against coming into any kind of conflict with Government, and when the district magistrate of Poona suggested some changes in the means of picketing, they were readily incorporated. Yet some 40 of the 150 volunteers who, it was said, had transgressed the law, were arrested and sentenced to various amounts of fine. The main charge against them was that they disobeyed the orders of the police. What were the police orders?—that the volunteers should withdraw and stop picketing! The volunteers claimed that they were within their rights, and that the police could not restrain them from peaceful persuasion.

That was construed as disobedience, and prosecution followed. At various places, Tilak addressed largely attended public meetings and said that drinking was prohibited both by Hinduism and Islam. It was only Christianity, the religion of the rulers, which permitted it. The English had demoralised Indians, he said, and took from them ten crores of rupees annually and taught them to drink. The people should not allow liquor shops in their villages. It did not matter if they were hanged for destroying a liquor shop.

From Poona the movement spread to the other parts of Maharashtra, and those who had for long years nurtured a grievance against the excise policy of the Government saw in picketing the expression of their suppressed feelings. They came out and joined the ranks of volunteers; they took the training and conquered the urge for retaliation—they pocketed insults and abuses, but never retorted. A contrary behaviour would have defeated their purpose and helped the authorities who were in search of some excuse to take action against the volunteers. Nevertheless, the rising tide of the movement, the authorities felt, should be stemmed. At Lonavla, near Poona, the district magistrate issued an order under section 144 of the Criminal Procedure Code requiring people not to "congregate and loiter daily in the vicinity of the country liquor shops with the purpose of preventing customers from entering the shops". This order was issued on April 11, 1908, and six days later, instructions were given to the Poona police to suppress the movement. Volunteers were forcibly removed.

There was great public resentment which found expression in a huge meeting of about 12,000. It was presided over by Dr. Bhandarkar; the temperance movement brought together the reformists and Tilakites, and once again, Tilak found himself working hand in hand with his reformist elder. The meeting protested against the high-handedness of the district magistrate, and decided to send a deputation to the Governor. It consisted of Tilak, Dr. Bhandarkar, and a few others. The leaders decided to avoid a clash with the authorities, and in order to create a congenial atmosphere Tilak suspended the movement, withdrawing his 500 volunteers from the precincts of the shops. This happened on April 23. Some weeks were allowed to elapse, and eventually a meeting with the Governor was fixed for July 6, but on June 24, Tilak was arrested. (See the following chapter.)

The deputation, however, met the Governor, without Tilak. He conceded that the rules made by the Association were unexceptionable, but contended that it was impossible, owing to difference in individual temperaments, to expect uniform and consistent observance of them. He added: "Picketing is an interference with liberty which, in Poona, certainly would have the appearance of class legislation, so that it would in many places inevitably lead to breaches of peace and to police prosecutions which we all wish to avoid. It cannot permanently promote the object you have in view and it may help to defeat that object. I sincerely hope you will not regard this as an arbitrary decision of an alien Government which does not sympathise with your valuable Association."

It was the advice of a doctor to a patient who was already dead. Tilak had suspended the movement only with the intention of reviving it after the deputation's parleys with the Governor. He knew that success, in any case, would be his; if the Governor accommodated the people's right of peaceful and persuasive picketing, the movement would go on as before, and, if he did not, Tilak would use official obstinacy to further the cause by asserting the right which the law gave them. By removing him from the scene, Government undermined his scheme. He was going to cause heavy loss of revenue; his arrest, ostensibly on other grounds, saved it.

CHAPTER XLII

ARRESTED AGAIN: ENTER THE BOMB

CURZON'S reactionary rule, culminating in the Partition of Bengal, and the infructuous constitutionalism of the Congress had made the politically conscious youth and an important section of the press desperate. They wanted to do 'something', which meant violence. Two years after the Partition would coincide with the close of half a century after the first War of Indian Independence, the Revolt of 1857; this thought inspired the youth to make another attempt. The press appeared as a forerunner. Newspapers, pamphlets and handbills were distributed in large numbers, rousing the people to rise against the British.

But where were the arms to come from, and what form should the proposed violence take? The answer is to be found in the activities of Indian politicals abroad. In 1905, Shyamji Krishnaverma, inspired, as his biographer says, by Tilak's suffering, sacrifice and patriotism, went to England, and started the India Home Rule Society with himself as its president; its office was located in a building which was named the India House. Shyamji enrolled some revolutionary recruits, the most conspicuous among them being Vinayak Damodar Savarkar, then aged 22, who had been recommended by Tilak.

In India, Savarkar was associated with a revolutionary organisation, called the Abhinav Bharat Society. At one of its meetings, the Society had decided to depute Senapati Bapat and Hemchandra Das to study the art of manufacturing bombs. They learnt it from a Russian revolutionary in Paris and bought a bomb manual from him. Then Bapat, Das, and another man from U. P., Hotilal Verma, left for India with cyclostyled copies of the bomb manual. By now, the Deccan was "honey-combed with secret societies". The Abhinav Bharat had its own intelligence system, and some of its members had intercepted in Bombay a message from the British Government about Tilak's impending arrest.

In other parts of India also, many revolutionary organizations had sprung up; many young men had learnt the art of bomb-making. Liaison was established between these organi-

zations and Indian revolutionaries abroad.

The Government adopted a series of repressive measures. The first was an ordinance issued on May 11, 1907, which made it obligatory for the organizers of public meetings to give the district magistrate seven days' notice. The magistrate could prohibit any meeting at his will. Those not prohibited were held under police surveillance. The ordinance was first applied to the Punjab and East Bengal. After six months, it was given legislative sanction and named the Prevention of Seditious Meetings Act. In 1908, the Explosive Substance Act was passed to deal with anarchists. Any one found in possession of explosives and implements and materials which could be used in the manufacture of bombs was punishable with transportation for fourteen years. Even an attempt or intention to cause explosion was made punishable with seven years' imprisonment or 20 years' transportation. Another law of 1908, the Newspapers (Incitement to Offences) Act, empowered the Government to confiscate the printing press of any paper which contained "any incitement to murder or any offence under the Explosive Substance Act or to any act of violence". The magistrates were empowered to order confiscation of printing presses even before the accused were produced before them for hearing. In cases which the magistrates considered emergent, they could order attachment before any legal formality was gone through. At the intervention of the Secretary of State, Morley, this sweeping measure was amended so as to include the right of appeal.

On April 30, 1908, the bomb made its first appearance, with fatal results. Two Bengali young boys, Khudiram Bose and Prafulla Chaki, belonging to the revolutionary party of Manicktolla, threw a bomb at a carriage at Muzaffarpur which, they believed, belonged to the District Judge, Kingsford, who, as chief presidency magistrate of Calcutta, had awarded severe punishments to editors of several Bengal newspapers. He had also sentenced a revolutionary to whipping. But unfortunately the carriage was not Kingsford's, and the bomb killed the wife and daughter of a much respected and pro-Indian European, Pringle Kennedy. The two bomb-throwers were arrested. Chaki at once shot himself and fell dead; Bose was sentenced to death and hanged. He was hailed as a martyr. His photographs had an immense sale, and by and by the young bloods of Bengal took to wearing *dhotis* with Khudiram

Bose's name woven on them. On the date of his execution, the boys of several schools in the Province attended classes barefooted and without shirts on.

Tilak deplored the bomb outrage, but it appeared to him that the appearance of the bomb in India had changed the outlook of Indian politics. Week after week he asked Government, through the columns of the *Kesari,* to understand the implications of the new development, and act wisely. His advice was that the answer to the bomb was political reform, and not repression as had been advocated by the Anglo-Indian press. In his weekly comments he said: "Some people pay attention to the evil effects of a vice firmly established in the body, only when that vice begins to inflict trouble upon the body in the shape of a terrible abscess; and an effort is then made to remove the vice. The terrible murders that took place in Ireland spontaneously rivetted England's attention to the grievances of that country and then Home Rule or Swarajya for Ireland began to be discussed. Such usefulness, of one sort, of these murders has been indirectly described by Lord Morley in one place. Will the terrible occurrence at Muzaffarpur rivet Lord Morley's attention to the grievance about the partition of Bengal?" Again, he wrote: "The evidence required for proving the loss which India is sustaining from the political, industrial, moral and material points of view, owing to the entire administration of India being carried on solely under the guidance of the white official class and in utter disregard of public opinion, is so very strong that none but the friends of the official class will have any doubt of the iniquitous character of the present administrative system. That such an administrative system should come to be disliked by the people is the effect of Western education itself. . . ."

The next week he published a long article answering the criticism of the Anglo-Indian press and of some prominent Englishmen: "Why do you, in the first place, drive the youths to the ditch of despair by repeatedly flogging their backs? It is human nature that one should try to drag down the precipice along with oneself the man who has flogged him to the ditch of despair, sorrow and exasperation. Mr. Rees, a Member of Parliament, advises Government—'if repression is to be practised, then press down forcibly without love or mercy, crush down the heads of all in one and the same fashion, let a level plain be made all round, and then the reverberation of your

tyrannical acts will be heard nowhere.' If Government leave all bounds, as suggested by Mr. Rees, then the consequence thereof shall never be beneficial to Government and to India. Even bombs can be prepared with a little knowledge, at a small cost and with small effort. It is the opinion of Spencer that when a Government begins obstinately to practise oppression and persistently refuses to give proper respect to public opinion, then such a state of things is positively produced that changes in the administration are not brought about by means other than terrible means. . . . "

In the following issues of the *Kesari* he came out with more ardent pleas that the character of British rule in India was responsible for the appearance of the bomb.

These articles were causing a great deal of anxiety to the British authorities not only in the Bombay Presidency, but also in other provinces where the *Kesari* had a large circulation. The Governor of the Central Provinces repeatedly addressed private letters to Sir John Mackenzie, Home Member of the Government of Bombay "on the expediency of dealing with Tilak and the Poona and Satara newspapers which are entering my province in large numbers and perverting the whole of the Marathi-speaking people." The C. P. Governor indicated to the Bombay Governor that if the Bombay Government could not see their way to taking action he would be "forced into the otherwise undesirable course of taking action myself in a province where the newspapers circulated instead of in the province where they were published." Later on, Sir John Mackenzie informed the C. P. Governor that the Government of Bombay were only "awaiting a good case against Tilak to take action"; and therefore, says the C. P. Governor, "I had to possess my soul in patience." Some years later, he wrote in connection with Tilak's case against Sir Valentine Chirol of *The Times*: "I know how I should have welcomed it in the Central Provinces in the days when the Bombay Government had not made up their minds to grasp the nettle represented by Mr. Tilak in 1908."

Soon after the exchange of this correspondence, several editors were arrested and put on trial. Tilak's writings were being carefully examined to see which of them could secure his conviction. Tilak was the most popular leader in the country, and Government knew that repercussions of failure of prosecution would be terrible—it would considerably add to

his stature, and ridicule the Government in the eyes of the people. In that wavering state of mind, the authorities picked out an article which appeared as the first leader in the *Kesari* of May 12, 1908. Success of the prosecution was still in some doubt and, as will be seen in the next chapter, Tilak happened to make their victory certain by another article which he wrote on June 9. The prosecutors jumped with joy—this article would secure Tilak's conviction; that was certain, they said.

Bombay was chosen to be the venue of the trial; and on June 24, destiny took him to that city. The same day, at about 6 P.M., he was arrested. Simultaneous action was taken in Poona; his house and press were locked up by the police, and the next day a search was conducted. The police took into their possession 63 documents, among which was a card containing names of two handbooks on modern explosives. This card played an important role in the trial.

CHAPTER XLIII

'MOST DANGEROUS REBEL'

THE following is a summary of the leading article, entitled "The Country's Misfortune", which appeared in the *Kesari*, dated May 12, 1908, and in respect of which the Bombay Government ordered Tilak's prosecution:

"We never imagined that the high-handedness of the white bureaucracy in this country would so soon drive some of the youthful patriots of Bengal to such acts of violence as they have recently committed. Their statements before the police bear witness to the fact that these men were not at all inspired by self-interest in what they did, but it was out of sheer exasperation at the autocratic doings of the bureaucracy that they have chosen this path. It is further evident that the same circumstances that have given birth to the anarchist cult in Russia have come into existence in this country, and are producing the same result.

"The British Government is, it is true, a mighty one, but all autocrats must bear in mind that there is after all a limit to human forbearance. All constitutional agitation for undoing the partition of Bengal having miserably failed, nothing could be more natural than that a few of the ardent spirits in Bengal should have lost their heads and resorted to excesses. It is true that long foreign domination has mostly quenched the spirit of the people, but it has not become altogether extinct. A knowledge of history and the rise of Japan has kindled in their minds a strong desire for Swarajya, and if there is no gradual fruition of that desire, some of them at all events will not hesitate to commit deeds of violence in a fit of exasperation and despair.

"We, along with other newspapers, have frankly told Government that if they resorted to Russian methods of repression, Indians too shall have to imitate the Russian revolutionaries in their defence. To exercise every sort of oppression on the subjects, and at the same time to expect them to bear everything with meekness is to exhibit an utter ignorance of ordinary human nature. Such ignorance has been disclosed by the Anglo-Indian Press, which conveniently overlooking

the fact that the present undesirable situation is the outcome of the unrestricted exercise of autocratic power by the white bureaucrats, has been indulging in all sorts of wild vapourings. Our rulers seem to desire that the indignation felt for their measures should never overstep certain prescribed bounds. The Muzaffarpur outrage will teach a lesson to Government on the vanity of this desire. Government can, of course, suppress such outrages with a high hand, but that will not effect a radical cure of the disease. So long as its germs remain in the body politic, it will break out at some place or other.

"The remedies, therefore, must be prescribed with due foresight. The fact must be recognised by Government that these excesses on the part of an inconsiderate few are due to the refusal of the Government to give due consideration to the suggestions for reform in the administration which the people have begun to dislike. They must, therefore, with true statesmanship, try to avoid bringing matters to a crisis.

"We, on our part, do not think that our duty ends with condemning the Muzaffarpur outrage. We regret the occurrence, but we are of opinion that so long as the causes which gave rise to it are allowed to remain, it will be impossible to prevent its repetition. It lies entirely in the hands of the Government to prevent the growth of nihilism in India. Reform in the administration is the only way to kill this new Upas tree, and if the powers that be are not disposed to resort to that remedy, nothing can be more unfortunate. If the authorities fail to read the signs of the times, what can we do?"

On June 25, Tilak, as editor and publisher of the *Kesari*, was produced before the Chief Presidency Magistrtae, A. H. S. Aston. After Superintendent Sloane of the Bombay city police, who figured as complainant, had been sworn, and had identified the 'accused', Tilak's pleader asked that the case might be tried forthwith. But the Government pleader was not ready, and applied for an adjournment in order to call evidence. The hearing was postponed to June 29.

The Magistrate then took up Tilak's application for release on bail, and remarking that "the offence in question is not bailable", rejected it. He added: "I am of opinion that there are reasonable grounds for believing that the accused has committed the offence of which he is charged."

On July 2, Tilak's counsel, M. A. Jinnah, applied to the High

Court urging that if the 'accused' was not released on bail, he would not be able to instruct properly those whose help he wanted to secure for his defence. Other grounds given by Jinnah were: Tilak had a good defence; he had been suffering from diabetes for sometime past and was under medical treatment when he was arrested; the official translation of the articles used in the proceedings before the Magistrate were incorrect and misleading; the Counsel would not be able to make a proper defence unless the 'accused' had himself an opportunity of explaining the correct meaning and spirit thereof to his counsel.

Jinnah also invoked the judgment of Justice Tyabji, and emphasised that since there was no doubt whatsoever that Tilak would be forthcoming to stand his trial, justice demanded that he should be enlarged on bail.

The application was opposed by the Government. In the written affidavit filed by the solicitor to Government he made a reference to Tilak's imprisonment in 1897 and his conditional release, and said that he had been informed by Government that if the 'accused' was released on bail, he would use his "liberty to excite feelings of disaffection and hatred against Government and that it would be dangerous to release him." The court was assured that the translation to be used at the trial of the case would be one made by the translator of the High Court itself.

After Jinnah had finished his arguments, the Advocate-General rose to argue the Government side of the case. But hardly had he uttered these two words, "I appear . . . ," than Justice Davar, who was presiding over the session, intervened and said: "I will not trouble you, Mr. Advocate-General," and delivered his judgment without hearing him. He said that he did not agree with the statement "broadly made" that the only consideration, which ought to guide the court in deciding whether bail should or should not be granted, was the consideration that an accused would appear to take his trial. There were many circumstances that, in his opinion, should be weighed before coming to a conclusion. Unlike Tyabji, he thought that nothing should be said before the trial that would in any way prejudice either the case for the prosecution or for the accused. He, therefore, rejected the application, and gave no reason for the rejection, for that, in his opinion, would prejudice the case one way or the other.

It would be interesting to recall that it was Davar who, as Tilak's counsel in 1897, four times argued the bail application and took his stand on the ground that the accused would not be able to instruct his counsel properly from inside the jail, and ultimately succeeded in securing his release. Then he had said: "I ask your Lordship to exercise your discretion vested in you, and make an order which will show that the accused is not prejudged by the tribunals that administer justice and law." Now he said that the Judge of the High Court had no doubt unlimited discretion, unfettered by any condition, and could release an accused person on bail pending his trial. He argued that that was a judicial discretion, "a discretion that must be judiciously exercised, and exercised with care and caution," and therefore reached the conclusion that the bail application should be refused.

Meanwhile legal experts of the Government, both in Bombay and in Calcutta, who were assiduously preparing the prosecution, felt that the May 12 article might fail to secure conviction. A secretary of the Government of India suggested: "It is most important that the case against Tilak should be strengthened, for the present charge is a very weak one, and even if it end in conviction, which is improbable, we shall have an outcry from a large section of the radical party at home against a law under which an editor can be sent to jail for criticism which in England would be regarded as of quite a mild type. On the other hand the incitement to the use of bombs which appears in the article of June 9 would excite no sympathy in England among any section of politicians whose opinions count." Now Tilak's prosecutors switched on their attention to that article which was entitled "These Remedies Are Not Lasting", and which appeared in the *Kesari* dated June 9.

The Viceroy, Lord Minto, agreed that no effort should be spared to secure Tilak's prosecution. "The present is not a time," he said, "to give a well-known agitator like Tilak the benefit of any leniency; and I certainly think we should call the serious attention of the Bombay Government to the possibility of proceeding against his press in respect to the article in the *Kesari* of the 9th June."

The exchange of official notes that followed the recording of his opinion by the Viceroy makes interesting reading. Everybody seemed anxious to imprison Tilak for a long period.

The Bombay Government were in favour of taking action under the Newspaper (Incitement to Offences) Act, but they suggested two possible objections. The first was that the "offending article" was published only one day after the passing of that Act. The second possible objection was that action under the Newspaper Act "would unfairly prejudice Tilak in his trial for sedition which is now pending before the High Court."

These objections, however, did not damp the enthusiasm of the officers at the Secretariat level, and the same secretary of the Government of India again said in his note: "I venture to think that it is most desirable that we should deal Tilak as shrewd a blow as we can. He is by far the ablest and most dangerous of the rebel party in this country, and his complete overthrow will stagger that party and show to all waverers the strength of the Government. It is not enough to imprison him when we can also suppress his newspaper. The *Kesari* has a circulation of 20,000 which is an enormous circulation for India. This is no time for rose-water administration, and I am confident that the great mass of moderate men will be glad to see Tilak completely overthrown. He ruined the National Congress at Surat and his methods have given great offence to the Moderate Party."

But the Home Member of the Government of India brought about moderation in the official temper, and directed the Bombay Government to refrain from action under the Newspapers Act. "It is no doubt a desirable thing," he contended, "to suppress both Tilak and his newspaper, but we should be careful that zeal does not out-turn discretion in a matter which has to be laid before Parliament and which will attract world-wide attention."

The Bombay Government therefore took two vital decisions: first, to frame a second charge based on the article of June 9; and secondly, not to hazard prosecution under the Newspapers Act, but to depend wholly on Sections 124-A and 153-A of the Indian Penal Code. The following is a substantial summary of the article:

"The Government of India has again entered upon a career of repression from this week. This demon of repression periodically possesses the Government, and one of such periods has now recurred. As liberty of the press and liberty of speech give birth to a nation and nourish it, our bureaucrats had long

wished to extinguish both in India, and the bomb outrage afforded them an opportunity to carry out their design. But the question is, will these repressive measures succeed in their object? The officials first of all wish to see the bomb driven out of India, and this desire is both natural and laudable. But the means they have adopted for this end being just the reverse of what should have been adopted, it is therefore plain that they have lost their senses. This mental aberration is a sign of impending ruin and one is grieved to think that worse days are in store both for the people and the authorities. The latter have raised the outcry that the cult of the bomb in Bengal is destructive of social order just like its prototype in Europe.

"But there is a vast difference between the two cults. While the cult in Europe is the outcome of the hatred of the self-aggrandising wealthy classes, the Bengal cult has got at its root an excess of the patriotic sentiment. The Bengal bomb-thrower has got more in common with the Portuguese patriots, who assassinated Don Carlos for suppressing their parliament, and with the hot-headed Russians who committed bomb outrages in desperation owing to the Tsar's refusal to convene the Duma than with anarchists pure and simple. The bomb in Portugal compelled the abandonment of the policy of repression in that country, while the mighty Tsar had to eat humble pie before the same engine of destruction. The cessation of the bomb outrages in the two aforesaid countries can never be ascribed to repressive measures. That consummation was due to the fact that the statesmen of both the countries recognised in the bomb new, rising aspirations of the people and made efforts to gratify these aspirations.

"The condition of Indians is worse than that of a cage bird. For while the latter is supplied with delicacies with a view that it may not feel the misery of its captivity, the Indians have been ruthlessly deprived of arms in order that they might never dream of freeing themselves from their bondage. The English have evidently emasculated the whole nation and reduced it to a state of impotence simply to enable even the lowest of their officials to exercise their high-handed sway with impunity. The English possess neither the magnanimity nor the power of the Moghuls who never disarmed the Indians. The Moghuls were able to keep up their Imperial status for over a century even after their forces had been annihilated during Aurangzeb's abortive campaigns in the Deccan. The

British Government will not be able to outlive, even for a quarter of a century, a similar period of stress and strain. The disarmed condition of the people combined with the military strength of the Government had so long made the English masters of the situation. But the bomb has changed all this.

"Hitherto the Government had no means of knowing the degree of desperation to which some of their hot-headed subjects have been driven through exasperation at Government measures. The people only petitioned and their representations were regarded as mere froth worth no attention. They fretted and fumed in secret, but Government knew nothing about the matter. The bomb, however, has put a potent weapon into the hands of the people, and it has lessened the respect for the military prestige of the Government. England will not henceforward be able to carry on the administration of the country in a smooth manner unless Englishmen deign to take the people more into their confidence. Manufacture and possession of arms can be prevented by law and police supervision, but the same cannot be said about the bomb. It resembles more a magical charm than a visible object manufactured in a factory. The bomb required by hot-headed madcaps, bent on violence, does not require large quantities of materials for their manufacture, as was shown by the bomb factory unearthed at Calcutta.

"It appears that Government have failed to learn a lesson from the discovery. No law possesses the power to keep the knowledge of the manufacture of bombs from those that are bent upon using them, for such knowledge is no longer regarded as a secret in Europe. It is still a secret in India, but if a policy of repression succeeds in adding to the number of hot-headed persons in the country, the knowledge will in no time spread to other parts of India from Bengal.

"The manufacture of the bomb has become such an easy matter that the police can be easily evaded. It was not so easy when the Explosives Act was passed in England, but recently it has been vastly simplified in consequence of new scientific discoveries. How far can legislation restrict the operations of the scientific expert? Government have been trying their hand at achieving impossibilities, which are sure to prove disadvantageous both to themselves and to the people. The new legislation will put a new weapon into the hands of

the underlings of Government for the persecution of the innocent people. Government must act in such a way that no one should feel any necessity to have recourse to bombs. They must see that no keen disappointment is caused to those men of high ability who are seeking the rights of Swarajya.

"But we fear that the new law about newspapers is likely to give a dangerous turn to the feeling of disappointment already prevailing in the country. The grant of the important rights of Swarajya is the only means to get rid of the bomb in India."

The prosecution was now ready with its charges, which stated that Tilak "brought or attempted to bring into hatred or contempt or excited or attempted to excite feelings of disaffection towards the Government established by law in British India", and "promoted or attempted to promote feelings of enmity or hatred between different classes of His Majesty's subjects" by publishing the two articles. On the appointed date—June 29—the Chief Presidency Magistrate took up the Tilak case again, read the charges to the accused, recorded depositions, and committed Tilak to the Sessions.

July 13 was fixed for the hearing. In the meantime, the prosecution took a vital step to ensure conviction. On July 3, it applied for a special jury to be empanelled to try Tilak on the ground that the case was one of great importance and a special jury would be eminently fitted for it.

Tilak's counsel opposed the application. His argument was: "This is a prosecution instituted by the Government for a political offence under the special sanction of the Government. It, therefore, comes with a force and recommendation naturally calculated to overwhelm the defendant. A special jury means that the majority shall consist of Europeans, judging from the list of jurors. This list shows that there are 242 Europeans against 156 Indians. In all probability, therefore, the majority in the jury would be Europeans. That was the case in the last Tilak trial, and that was the case in all sedition trials in this court. Europeans would not make fit jurymen on the present occasion as they would be handicapped on account of their inability to understand the language of the alleged incriminating articles. Lastly, it is impossible to close one's eyes to the fact that these political offences and press prosecutions are really a struggle between the rulers and the ruled for political rights and privileges, which can be obtained from the rulers

alone. Now Englishmen belong to the ruling class. There must exist some political and patriotic bias against Indian aspirations. Moreover Englishmen at the present moment are rather inflamed on account of the assassinations in Muzaffarpur. There is, therefore, a real danger that Englishmen would be unconsciously biased against the accused to his great prejudice. But if the prosecution insists, we are willing to yield provided it consents that the majority on the special jury consists of Indians conversant with the language in which the indicted articles are written, viz., Marathi."

Davar, who presided over the sessions, rejected the defence arguments, and granted the prosecution application. Again, as in the case of the bail application, his reasons were hardly convincing. As he himself said at the outset, a special jury was necessarily summoned in all offences punishable with death; but the law—section 276 of the Criminal Procedure Code—gave power to a Judge of the High Court to call a special jury in any other case also. In the Tilak case, he said, a special jury was necessary: "There is no doubt whatever that the cases against Mr. Tilak are important cases from his own standpoint, and I feel in his own interest he should have the benefit of being tried by a jury selected from the citizens of Bombay, but from the higher class of citizens."

Answering the other points raised by Tilak's counsel, Davar said: "I hardly think that there is much substance in the arguments as to the knowledge of the language. Of course if it comes to a conflict, then the court must necessarily accept the translations of its authorised translators. I am quite sure that any member of the special jury will come in and take his oath to administer justice and will leave out all prejudices if he has any and all extraneous circumstances entirely out of his consideration."

The 1897 trial was being repeated in every detail, and shrewd people began to forecast that Tilak would again be incarcerated for a long term.

CHAPTER XLIV

THE HISTORIC 21-HOUR SPEECH

When the trial opened on July 13, the Advocate-General proposed, on behalf of the prosecution, that cases in respect of the two articles, which constituted two separate charges, might be tried together; it would be more convenient. Tilak objected to the amalgamation both on the grounds of law and of prejudice which might be caused to him by the confusion in his own mind as well as in the minds of the jury. But Davar disagreed with him. "It is not fair," he said, "that the accused should have the charge hanging over him." He, therefore, ordered the two charges to be tried at the same trial.

Now, the proceedings began with a brief address for the prosecution—it was so brief that Tilak had to point out that "in the opening address for the prosecution nothing was said, and I do not know specifically the points upon which I have to reply". Apparently, the prosecution cleverly reserved the points for the second address which the Advocate-General was to make after Tilak had addressed the court. Tilak had hoped that at that stage he would only put in documents on which he was to build up his arguments, and make his reply after listening to the arguments of the Advocate-General against him. And when he pointed this out, the Advocate-General circumvented him saying, "I do not want to weary the jury." This answer was a subterfuge, for after Tilak's address, the Advocate-General did "weary" the jury with a long speech. His stand was upheld by the Judge also who told Tilak: "I warned you yesterday that if you put in documents, you would lose the right of reply. The Advocate-General is not entitled to anything more." Tilak, therefore, had to make his speech without knowing what the prosecution had to say against him. He dispensed with the services of his lawyers, and himself addressed the jury for 21 hours; it was a record-breaking speech.

At the outset, Tilak sounded a note of warning that the original articles had got perverted in the translation, and that any insinuations based upon the translation "would be likely

to be unsafe. It is unsafe, nay dangerous, to adjudge me guilty merely because the words, as conceived by you from the wrong translations, are, in your opinion, calculated to produce feelings of hatred and contempt in a community of which probably you know nothing." (Seven of the jurymen were Europeans.)

Tilak questioned the method by which justice was sought to be administered. That was to tell the jury to read the article, judge its effect as a whole, and give their verdict. It was unsafe, Tilak contended, to draw any inference by reading an article alone. That doctrine was now much discredited in England, and the English juries drew their own conclusions not merely from the character of the writing itself, but from all the surrounding circumstances. The law of sedition being the same in England as in India, Tilak pointed out, the jury would be failing in their duty if they left the surrounding circumstances out of their consideration.

The question was whether Tilak really offended against Section 124-A, which said: "Whoever by words either spoken or written or by visible representation or otherwise brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards His Majesty or Government established by Law in British India, shall be punishable. . . ." Tilak contended that there was no evidence adduced before the court that any excitement had been caused by the articles in question, and therefore the case did not come within the first part of the Section; His Majesty or the Government was not brought into contempt or hatred nor was disaffection excited. Now the question was whether an attempt was made towards that end. Tilak said: "Attempt is actually an offence minus the final act of crime. When it fails it is only an attempt at the crime. There must be everything necessary to make it an offence except success under the particular circumstances. It must be shown that if I have failed in this attempt, it was from circumstances beyond my control. Now that kind of evidence has not been put before you. The mere fact that a certain article is published will not make it an attempt when attempt is so defined. Attempt definitely means that a man intends to do something; the act must be present in his mind. This has been stated by Justice Stephens in his *History of the Criminal Law of England,* Vol. II. Publication is brought in to show intention, but I maintain that mere publication cannot

prove any intention. When there are other circumstances which are shown to exist, then it is the bounden duty of the jury to take all the circumstances into consideration and then to decide whether certain intention was in the mind of the accused or not. It is the duty of the prosecution to prove intention. The burden of proving all this is thrown upon the defence. The prosecution does not take into consideration the fact that this article was written in the heat of controversy, that this article was intended as a piece of advice, and that it is written in reply to certain criticisms already published. But the prosecution says, 'It is not any business of ours to inquire into these circumstances. We only place the article before you and if the accused does not reply, the best course for you is to return a verdict of guilty.' "

Tilak then proceeded to narrate the circumstances under which the articles were written, but prefaced his narrative by the remark that the jury should be able to understand those circumstances, and must therefore be selected from the people. The jury in this case had not that advantage. Tilak pointed out another disadvantage: "In England, if one man out of the twelve disagrees, the jury is discharged, and another jury is empanelled; and if this happens two or three times, the man is ultimately acquitted." In India, opinion of the majority was considered enough to secure conviction.

"We often misunderstand each other," Tilak said. "If I draw an inference as to your intention without knowing the state of your society, it is not likely to be correct. In the same way if you wish to draw an inference from the Marathi writing as to the effect it would produce on the Marathi-knowing community, you have to consider the feelings and the general state of that community. Without doing that you cannot say whether the writing will excite any particular feelings or not. The prosecution ought to have produced evidence before you to show what the state of the Marathi-speaking people is and how are they likely to be affected. . . . I am not here to ask you any grace. I am prepared to stand by the consequences of my act. There is no question about it. I have written the articles believing it my duty to write in the interest of the community. It was both in the interest of the people and the Government that this view should be placed before them. If you were placed in my position and if you had been impelled by my circumstances to take up the defence of your commu-

nity, what would you have done? You must place yourselves in my position and then judge of my motives and my intention. There must be a distinct criminal intention to justify a verdict of wicked intention. This intention cannot be inferred from merely the fact of publication, but from surrounding circumstances; and between these two lies the liberty of the press."

Tilak invoked a number of English judgments in his support, and contended that if the law was interpreted in the same way as they did, he was innocent. "Today I am in the dock," he told the jury, "for opinions which I have promulgated. If you want reform, you might be in the dock tomorrow. It is not seditious to find fault with Government or to advocate the reformation of administration." He claimed that it was his right to fight for the liberty of his people, for a change in the constitution, for a reform of Government, and therefore expected a verdict of 'not guilty'. By writing on the cult of the bomb, he discharged a duty he owed to the people: "Khudiram Bose had just been sentenced; and I had to express myself on the subject; that was my duty, whether the times were excited or peaceful; and if the times are times of unrest, it becomes the duty of a newspaper man to impress upon the Government the causes of that unrest. It is a very hard duty—a very thankless duty and sometimes a very risky duty. If the newspaper is to go on for the benefit of the people and the interest of the Government, you cannot allow any other consideration to interfere with your duty. A critic may find fault, but to question the writer's motive is extremely ungenerous."

What exactly were the surrounding circumstances when he sat down to write his article on the bomb? Anglo-Indian papers like the *Pioneer, Englishman, The Times of India,* had repeatedly suggested in their columns that the bombs were the outcome of the agitation of Congressmen, and that Government should put a stop to the Congress and everything of the kind. The London *Times* carried on the same campaign in England. And Tilak asked the jury: "Now, gentlemen of the jury, if you were the representatives of your community as I am of mine, what would you have done under these circumstances? Evidently you would have done what I did." What, therefore, Tilak did was only to give expression to public feeling in order to inform the Government. "That is my defence and you have to judge of it from that point of view.

If you want to stop bombs now it will not do to put down the Congress agitation; but you ought to put down the bureaucracy first or reform it." He claimed the same liberty for the Indian press as was enjoyed by the Anglo-Indian press.

The *Pioneer, Englishman, The Times of India,* etc. made a general attack on Indians, and mentioned Tilak by name. "So what ground is there to suppose," Tilak asked, "that this is not a reply to the *Pioneer*? That I am not entitled to convey the view of the Marathi-speaking population? Of course there are some Indians on the side of the bureaucratic press just as there are Conservatives and Liberals in England. Would you hold anybody seditious under section 124-A, for writing as I have done, in England? There are two parties in England, and it is the duty of each party to represent its own views. If the vernacular press should continue to exist, it should exist only for this. I was bound to criticise the abuse of the *Pioneer* and to express my views couched in decisive terms. I do not speak here with the object of making you converts to my views, but when one party goes on like that and abuses the other, it challenges the other party."

Tilak then brought home to the court how Government exercised discrimination in favour of the Anglo-Indian press: "I know that some of you will say, 'Yes the *Pioneer* has said so and so, why don't you file a suit?' If we want to charge the *Pioneer,* we must file a complaint under Section 153-A. But to do so we must obtain the sanction of the Government. The Government must sanction the prosecution, but it is not likely to give that sanction. A question was asked in Parliament as to whether the Government would prosecute the *Pioneer* for making certain statements; no reply was given. The questioner, O'Grady, made a similar demand in respect of some other Anglo-Indian papers. I do not want them to be prosecuted. I do not wish that any other editor should be in the same predicament as I am today. I do not wish it even for my enemies. I do not want to be vindictive, but I think it is an instance of the Government's partiality towards Anglo-Indian papers.

"I might mention the case of Captain Hearsay who was libelled by the *Pioneer*. He did not waste any time in filing a suit. He went to the office and horsewhipped the editor. That is how you, gentlemen of the jury, would proceed if insulted like that. The people of the Punjab once requested

the Government to prosecute the *Civil and Military Gazette* for certain libellous statements made against them, but the Government refused to do so. If the Government believes that those papers are actuated by honest motives, though their language may be very strong, how can they believe that this article written in much milder language by me is seditious? It is only a reply to the advice tendered by the Anglo-Indian papers to the Government. As a matter of fact, we are entitled to greater latitude than the *Pioneer* since the Penal Code says that what is done in self-defence is not an offence. That refers to property and I maintain that property includes reputation. We have referred to the article in the *Pioneer* in very mild terms; we have replied with arguments only. Are we to allow the *Pioneer* to go on abusing the mass of our readers and of the people in this country? In that case it would be much better to abolish the vernacular press, and leave the *Pioneer* in the field alone. It is my duty to reply to such vilification."

Here are some samples of the kind of writing in Anglo-Indian papers which Tilak produced before the court. After giving a coloured version of what were the views of the Moderates and the Extremists, the *Pioneer* wrote in its issue dated May 7, 1908: "Below the Extremist come the lecturer and the vernacular editor, the latter of whom has been steadily at his work for the last thirty years and more, the former a new development, and both having for their aim the direct inflammation of the minds of the people. . . . Who can wonder that in the last grade come the bomb-maker and the wretched, infatuated student whom he gets to do the work? They are the logical outcome of the whole movement as it stands. The nexus from top to bottom is complete."

The *Englishman* published a letter in which the writer said: "Were a few of these worthy agitators flogged in public by the town sweepers and their presses confiscated, much of the glamour of the righteousness of their agitation for the people would be destroyed and their dupes would see them as they are, and not in the kaleidoscopic light which they endeavour to attract to themselves."

The *Asian* directly suggested shooting of Indians: "Mr. Kingsford has a great opportunity and we hope he is a fairly decent shot at short range. We recommend to his notice a Mauser pistol with the nick filed off the nose of the bullets or a Colt's automatic which carries a heavy soft bullet and

is a hard hitting and punishing weapon. We hope Mr. Kingsford will manage to secure a big 'bag' and we envy him his opportunity. He will be more than justified in letting daylight into every strange native approaching his house or his person, and for his own sake we trust he will learn to shoot fairly straight without taking his weapon out of his coat pocket."

The Times of India charged the 'native' press and 'well-known nationalist speakers' with the responsibility of working "ferments in the yeasty brains."

The law did not discriminate between the 'native' and the Anglo-Indian papers, but apparently the Government allowed the latter freedom to excite Europeans against Indians and their agitation and aspirations. Tilak said that whatever he wrote in his paper was in self-defence in answer to the broadside of the Anglo-Indian press. His answer was intended to be informative and helpful to the Government in understanding the situation as it obtained at the time. He did not want the same privilege as the Anglo-Indian papers possessed, to abuse his opponents. He owed a duty, in the circumstances created by the Anglo-Indian press, to his people and to the Government which he discharged with all the restraint at his command. On the spur of the moment, he said, he might have made wrong choice of words here and there, as generally happened in newspaper writing, but his motive and intention were pure.

He asked the jury to understand the distinction between the bureaucracy and Government. "Bureaucracy is not the Government. To criticise the bureaucracy is not bringing into contempt or hatred the Government established by law in this country. Every writer in India has made a distinction between Government and the administration; it is now recognised that to contend for the right of self-government (as ruled in ILR 34 Calcutta) is not seditious. How can you demand a share in the administration unless you can show that the present administration has some defects? If you cannot find any defects you have no claim for reformation. It may be unpleasant to the bureaucracy, but there is nothing in it which brings contempt or hatred upon Government—I mean Government in the abstract."

Tilak refuted the suggestion that he welcomed the cult of bomb, and drew attention of the jury to his earlier writings in

which he had clearly said that bomb-throwing was not the method of obtaining Swarajya; that it was not a logical method; that it was not sanctioned by morality. What, however, he emphasised was that outrageous conduct was one of the effects of a bad system of administration, and the remedy was to reform it, and not to tyrannise the people, as had been suggested by the Anglo-Indian press. Tilak's position was that he condemned the outrages, but he condemned the repressive measures also; he could not be taken to task for the latter. That he claimed as his right. What he had written in his articles, Tilak showed by referring to a large number of writings and speeches, had many times been said by eminent Englishmen themselves and by Members of Parliament. For instance, Tilak had said in one of the indicted articles that the bomb could not be suppressed by military power; and he read out a similar extract from the writings of Major Evans Bell.

Tilak then came to the translation, and dwelt at length on how, at many places, it gave a wrong meaning, entirely different from the text. For instance, there was a sentence in the text which said it was "calling a rope a snake". It was a very common proverb in Marathi for expressing the idea of mistaking an innocent thing for an offensive one. The sentence was so translated that the prosecution drew the inference that the writer, by the word "snake" referred to the Government. "That kind of translation," Tilak said, "will make anything seditious." It was for this reason, Tilak reiterated, that he wanted a Marathi-speaking jury which would have been better fitted to judge whether the articles really offended against sections 124-A and 153-A of the Indian Penal Code.

At this stage, the Judge intervened and pointed out that two of the jurymen were Marathi-knowing, and they would doubtless correct their colleagues where the translation gave a different sense from the text. But Tilak again stressed that the words used in the translation seemed to suggest that there was an anxiety to make it look like an actionable article.

The same want of appreciation and understanding and the same anxiety was discernible about the ill-fated card which was found in the search of his house; it contained names of hand-books on modern explosives. The insinuation drawn from it by the prosecution was that Tilak was engaged in manufacturing bombs or other explosives. His answer to the charge was: "After I wrote this article, we wanted to criticise

in detail the provisions of the Explosives Act, which had just then been enacted, and especially the definition of an explosive, which according to the Act, includes even ordinary kerosene oil. It was necessary to collect material to see whether the definition given in the Explosives Act tallies with the definition given in the works on explosives. The only reference book we had was the Encyclopaedia Britannica and that was not enough, and naturally the first impulse was to refer to the catalogue to see whether there was any work on explosives."

He also characterised as vague the charge under section 153-A which said he "promoted or attempted to promote feelings of enmity or hatred between different classes of His Majesty's subjects." That phrase again showed that malicious intention was intended, and again no evidence had been produced to show that the effect of the article would have been or actually was promotion of hatred or enmity. But the vagueness consisted in the fact that "there are no classes mentioned in the article. A whole page of that article is full of criticisms on the Explosives Act and the Press Act. It could only be contended remotely by straining the words that, in criticising the provisions of the Explosives Act, it was intended to incite persons to throw bombs at the other community. I do not think that that meaning could be put upon that article. It is further doubtful whether bureaucracy comes in the definition of this section as a class of His Majesty's subjects."

Judge: "Let me see the charge."

Tilak: "I do not think the classes are mentioned. They are not in the copy I received."

Judge: "I see that the words are as follows: 'By printed words promoted or attempted to promote feelings of enmity and hatred between classes of His Majesty's subjects.' "

Tilak: "That is all; the classes are not specified."

Judge: "No, the classes are not specified."

Tilak: "So I am labouring under a disadvantage. I cannot say whether it is between Europeans or whether it is between Hindus and Mohammedans or between Jains and Sikhs. Of course, if I mention some particular class now, the prosecution may take up some other class afterwards. That defect in the charge I would ask your Lordship to make a note of as it places me at great disadvantage in answering it, and the charge

must fail. The article was not intended to promote enmity or hatred between the classes, and it was a criticism upon the Press Act and Explosives Act. This charge is not only vague and defective, but Section 153-A, I maintain, is not applicable to the article."

Tilak now concluded his address, and spoke these last words to the jury:

"I can certainly ask at your hands the same privilege in this country as is enjoyed by the English press at home. It is a very important question. It is the same question that was fought out in England as long ago as 1792. English people now enjoy the liberty of the press which they demanded and got in the eighteenth century. This is a similar case. I know you are placed at a certain disadvantage by not knowing Marathi; but you have another advantage which a Marathi-knowing jury might not have possessed. You are proud of your traditions. You have got liberty of the press after a long struggle, and I believe that you attach more importance to that than even we do here. I can trace a great struggle between the people on the one hand and a mighty bureaucracy on the other. And I ask you to help us, not me personally but the whole of India, in our endeavours to obtain a share in the Government of this country. You have a heavy responsibility upon you. If at least one of you would come forward and say that I was right in what I did, it will be a matter of satisfaction to me; for I know that if the jury are not unanimous in England another trial would take place. It is not so here, but it would be a moral support upon which I would rely with great satisfaction. I am confident that you will, after taking all the circumstances into consideration, return a verdict of not guilty. I doubt not, gentlemen, that He before whom all of us will have to stand one day and render an account of our actions will inspire you with the courage of your convictions and help you in arriving at a right decision on the issue involved in this case."

Then, turning to the judge, he said: "My Lord, I have done. I have already referred to the vagueness of the charges, and if there is anything which I have not touched upon and is referred to by the learned Advocate-General and if he brings out anything new, I request that I may be given an opportunity of replying."

Judge: "Certainly, if there is any new point you have not touched upon, I will give you a chance of replying."

Tilak: "My Lord and gentlemen of the jury, I have again to thank you for the great patience with which you have heard me."

CHAPTER XLV

LICENCE OR LIBERTY

Now came the turn of the Advocate-General to address the jury, and to the surprise of the audience in the court, he tried, throughout his speech, to reinforce his arguments by abusive language. The first shot, which was the harbinger of many angry words, was: "I will endeavour to avoid all those faults which Mr. Tilak has been guilty of, the maddening reiteration, saying the same thing over and over again till you must have been as sick of it as he must have been himself. I could not shorten your torture in having to listen for five days to Mr. Tilak."

Understandably, all the favourable arguments that Tilak had dug out from judgments of English Judges were of no use to the Advocate-General, who dismissed them all as irrelevant, and depended entirely on the "Tilak judgment" of Justice Strachey. The Advocate-General freely quoted from that judgment; he pleaded that the definition given by Strachey of various words, like attempt, intention, was the only correct definition. Strachey's summing-up, the Advocate-General contended, was beyond dispute as it had been upheld by a Full Bench as also by the Privy Council. Therefore that judgment was the best guide. He would attach little importance to Tilak's address, which, he said, was "full of innumerable errors".

The question for the jury to consider was simple: "You have nothing to do with the question whether reforms are necessary or desirable. It makes no difference whether the complaints against Government are true or not. The question is: does the language used in the articles come within the provisions of Section 124-A? That is a point which evidently escaped the attention of Mr. Tilak and his advisers." This point was stressed by the Advocate-General several times, thus rendering himself 'guilty' of the same charge which he laid at Tilak's door.

What did Tilak mean by what he wrote in his articles? "What he now says he meant by those articles, that is not the point. He has been trying his best to throw all the dust he

could collect, even in the monsoon weather, into your eyes on this point. It is not what he now says he meant, but what he meant when he wrote them. If you come to the conclusion that the articles complained of come within the wording of the first clause of the Section, there is an end of the case. On the other hand if you come to the conclusion that when he wrote these articles he knew they were capable of the interpretation that the prosecution now puts on them, there is an end of the case also. The judicial and legislative authorities are absolutely against him. Once there is a prima facie case, to get out of a charge the burden of proof lies on the defence."

The Advocate-General also dismissed Tilak's invocation of the English law which was not applicable in India. He told the jury that it was none of its business to act as guardians of the press, and that nobody could write what he pleased saying that he was writing in the interest of the freedom of the press. That, "I am perfectly certain, is actually the law. If you are of opinion that these articles come within Section 124-A, it matters not two straws whether as a matter of fact any disaffection was caused, or any hatred was caused. If you come to the conclusion that the meaning of the words published was an intention to excite hatred against the Government established by law, the effect of its failure or success is completely immaterial. It is equaly immaterial that the excitement should not have been disturbance to the point of mutiny. That is not a matter of any importance in judging of the criminal liability of any person charged with having written articles which come within Section 124-A."

He then proceeded to say: "Mr. Tilak seems to think that you cannot have an attempt unless the attempt has been frustrated from some physical cause outside the control of the person making the attempt. Consider the absolute absurdity of such an observation. If a man prevents himself in making an attempt he does not mean any attempt, or if he has started on the attempt and then stops himself he can claim *locus penitentie*, of which we have heard in one of the quotations in this case. I fail to understand Mr. Tilak's argument which never approaches the boundary mark of common sense. I can hardly believe that Mr. Tilak is not pulling the legs of the jury in putting it forward."

At this stage, the Advocate-General drifted to irrelevant points, and shoved on the burden to Tilak for doing so.

"Perhaps I am travelling out of the course of the arguments upon which I first embarked, but you will allow me to go out of my way for a few minutes and follow Mr. Tilak's habit of jumping from subject to subject. Look at Mr. Tilak's position in this case. He says, 'From year to year I have been publishing the same views as appear in these articles; these views have been urged by the Congress for so long that there can be no possibility of my language being misunderstood by those who read it, and they are only old ideas clothed in new words. They convey to them no new ideas.' That being so, how is it that of the hundreds of readers of the *Kesari* not a single soul has been produced to show that he took a different view of the language of those articles to what we place before the jury?"

The Advocate-General claimed that the translations were correct, and his reason was: no evidence had been produced to prove that the translations did not represent the Marathi of the original articles to the ordinary Marathi reader.

He did not agree with Tilak that his articles vindicated the freedom of the press and were, therefore, not actionable. "Freedom of the press has been turned into an engine for the exercise of licence which, so far as one can judge, has no limit, except the will of persons who claim to be exempt from all restraint upon what they call the liberty of the press, including the right to abuse the Government and contend that liberty of the press is inconsistent with the existence of the Government as it stands now. I put it to you that there is no escape from the contention put forward by the defence. So far as Mr. Tilak's contentions have gone that is what he says and nothing else. If you give the Government any powers of restraint over the press those powers must go. The Government immediately becomes tyrannical, despotic, call it what you like, but the Government with any power is inconsistent with the freedom of the press; therefore do away with the Government. That is the burden of his song. Can there be anything more dangerous? Anarchy would follow as sure as night follows day. Once let it go to the public that that contention is well-founded and that there is no harm in these articles and that there can be no limitations imposed by the Government of the country upon what these people choose to call the liberty of the press, and you will repent the day that you allowed this doctrine to be put forward."

It was impossible to believe, the Advocate-General emphasised, that the writer of the articles could have had in his mind anything but approving the hideous murders at Muzaffarpur and Poona. "It seems impossible that any human person could praise the two acts of murder as he has done." He suggested that Tilak was needlessly finding fault with the translation. "He is in a very dangerous, and I might say, a very desperate condition. Any straw that he can get hold of to float on the tide of ruin on which he has swept himself, he must clutch at. And of course the first thing that he has to do is to impeach the translation, and he has the audacious effrontery to contend that he is being indicted upon articles the translation of which is wrong and he must be acquitted. His contention is untrue; there is no proof whatever that there have been any mistranslations here. If you have the industry to go through the two articles, in which it is alleged the mistakes have occurred, I venture to predict that at the end of a long and toilsome task you will find that there is no one single material syllable in the translation which requires amendment."

Again, with regard to Tilak's suggestion that the articles were the result of the effect produced on him by surrounding circumstances like the writings in the Anglo-Indian paper, the Advocate-General pleaded that that contention would not save Tilak if his language came within section 124-A. Then, in his view, the *Pioneer* article referred to was not directed at Tilak in any shape. "That would not justify the language he chose to use. It was like saying, 'I am an editor; I want reforms; if you do not give them I will bomb you and that is not sedition because of my motive. My motive is high.' Mr. Tilak's arguments on the points of motive and intention involves the absurdity that a man may commit the offence of patriotic sedition."

With regard to the ill-fated card, the Advocate-General suggested that Tilak had not made up his mind at first what course to pursue and, when he found it was absolutely futile to attempt to avoid the fact that the card was found in his premises and in his drawer, he said that it was necessary to procure books on explosives. "It is for you to say what reliance you can place on this statement having regard to the manner in which he has apparently approached this grave question. But, gentlemen, [with a] man who can write as

Mr. Tilak has written, . . . the finding of the card is looked upon with sufficient suspicion. Our suggestion is that the whole object of Mr. Tilak's articles was to threaten the administration and to threaten the Government that if they did not grant the demands as a price of peace, then bombs would follow. If he disapproves of bombs why write of them as 'more the form of knowledge, a kind of witchcraft, a charm and an amulet?' If the conduct and policy of Mr. Tilak and his party meets with the approval of any court of justice then the flood-gates of anarchy will be opened and disaster must follow as night follows day."

In the end the Advocate-General stressed that "throughout, the whole burden of the song in these articles runs in this strain. You have an alien government; get rid of it as soon as you can. In other countries bombs are thrown, well-selected bombs. Don't throw them more often than you can help unless you can throw straight. There is a remark made with regard to the disarmament policy of the British Government and the disarmament policy followed by the tyrannical Governments of Europe. Is not this a direct incitement to the thirty crores of people of India that they should rise in their might and destroy the English troops who cannot possibly withstand them any more than the Mohammedans did for more than twenty-five years?" The suggestion, he contended, was clear in the articles: " 'If you don't give Swarajya or if you don't make a beginning to give it, we won't stop the bombs.' "

But the Advocate-General was conscious of the strong language he made use of, and said at the end of his address: "I am prepared to stand by any rebuke that may be offered to me if I have indulged in the language of offence."

He sat down with the satisfaction, as he himself said several times in so many words, that he had done well and did not waste the court's time as Tilak had done!

CHAPTER XLVI

SIX YEARS' TRANSPORTATION, A LIGHT SENTENCE!

Now came the Judge's turn to address the jury. The address opened with seeming unconcern and tended to treat the accused with the utmost consideration, but the latter part of it left no manner of doubt as to the Judge's intention. He threw out broad hints to the jury that Tilak was really guilty.

He said: "We have all of us our passions, and I dare say there has been a time in the life of each one of you when you have felt hatred or contempt for someone else. Disaffection has been much discussed; it is a peculiar word; it is not used as betwen two persons, it is always used more in the sense as being applied between subject and ruler. The explanation leaves you in no difficulty. The explanations to the sections you must always bear in mind. They are intended to protect criticism of the Government measures and administrative acts. Journalists have perfect freedom to discuss measures of the Government, to disapprove them and to use forceful language if necessary. The freedom of the press is, I have no doubt, a most valuable right; you will be anxious to protect that freedom as I myself would be. The law says however that that freedom should not be used to bring into hatred or contempt the Government established by law or to excite feelings of enmity. Barring that the liberty of the press must be protected."

Then he dealt with the word "attempt". The law said that no attempt should be made to excite feelings of hatred and disaffection. It was for the jury to judge what was an attempt. "While judging the articles, from the articles themselves, you will remember that the accused has pressed you to take into consideration the circumstances under which these articles were written. By all means do so. Give the fullest effect to the surrounding circumstances, to the explanations he has given of them. I go further and say, judge the native press with greater consideration than you do the English press. It is a younger institution and probably more enthusiastic; take

the articles, read them and say what effect they produce on your minds, and if you think they do not transgress the law, then you must return a verdict of not guilty. If you think that the articles are not likely to create enmity against the Government, then the accused is entitled to the benefit of that conclusion. If on the other hand you think that the articles imputed baseness and immoral motives to the Government; if you think they incite violence and disorder, and if you think they are calculated to convey to the minds of readers that political murders are approved by the writer, then you will have to consider the effect that they have on the minds of the readers. I join with the accused in asking you not to be led by stray words, stray expressions and stray items in his writings. Give all the weight that he asks you to give to the fact that the Marathi language is a language in which certain expressions are wanting and that the articles are written in high-flown Marathi. You must go to the expressions and sentiments in their ordinary natural meanings; the ordinary meaning which is attributed to that particular form of language."

The Judge also advised the jury that if it thought the translation to be distorted and unfair, the translations of the accused should be substituted. Then, the jury should consider what effect the articles would produce on the readers' minds.

Here the Judge dropped a significant hint: "You must remember that those readers have not had the advantage of 21 hours and 10 minutes [of] explanation which the accused has offered on those articles. However you may assume, if you like, that these people knew the purpose for which these articles were writen as explained by the accused."

The Judge spoke at some length on the consideration that was due to the accused: "You must bear in mind in favour of the accused that the Government has no right to say our subjects shall love us or shall regard us with affection. A man is not bound to feel any affection for the Government. They have no right to ask it. A man may feel the utmost hatred and entire disloyalty towards the Government, but he must not express them or write them or speak them in a manner which would be calculated to give rise in the minds of others to similar feelings. A man, if he likes, might write manuscripts and carry them about in his pocket or keep them at his home, but he must not publish them. The prosecution

has placed before you certain articles and those articles are complained of. If you think he has written these articles on the spur of the moment, take that into consideration." Here, again, the Judge pointed out sarcastically: "The spur of the moment here commenced on May 12, and the bomb outrage took place at the end of April. If you think that these articles, which were written nearly a fortnight after the occurrence could be considered to be writings on the spur of the moment, you are entitled to take that into consideration." By this sarcasm, the Judge cleverly dismissed Tilak's suggestion that newspaper articles were written in haste and on the spur of the moment. He then hastened to add: "Anything which I am saying to you which does not meet your commendation, reject it. I am simply saying that these are aspects of the case which present themselves to me. You are judges of facts. It is on your verdict that I rely. I beg of you not to be influenced."

Naturally, he advised the jury not to be carried away by any consideration which was repugnant to the law. "The accused says, 'law may be harsh and hard; stand between me and the law and protect the liberty of the press.' You have to judge the accused according to the law as it stands. It was not for you or for me to judge whether the law is strict or harsh. No motive, no honest intention can justify a breach of law."

Then the Judge came directly to the portions of the articles which dealt with the cult of the bomb. "We are told Swarajya must be given and if we don't get it some turnheaded men will become violent. What is the spoke that is going to be put into the wheel of the car of the administration? The bomb or what else is it?"

The Judge read out a sentence from 'Stray Thoughts' published in the *Kesari*, dated May 12, 1908: " 'Murders are useful in directing the attention of Government to the grievances of the Bengalis.' Here we have the murder of two ladies and we are told that it is useful."

Did Tilak promote "feelings of enmity or hatred between different classes of the subjects of His Majesty?" The Judge thought he did. "The accused says that when the Bengalis were resorting to perfectly proper and leigitimate means for their national regeneration, the Government became irritated and let loose some Mussalman *badmashes* who caused damage to their property and the honour of their women. Is it fair? Is

it or is it not a charge against the Government of inciting Mohammedans for the most improper purposes to attack the Bengalis, loot their property and violate their women? It is for you to say. Would anybody after reading that have any respect for the Government or would their feelings be those of hatred and contempt and disloyalty?"

Lastly, the Judge expressed his opinion on the card. "The accused has given his explanation that it was his intention to study the books with a view to criticising the Explosives Act. That may be true. It is not a piece of evidence which ought to weigh in your minds against the accused."

It was July 22, the last day of the trial, and in order to finish it that day, the Court had decided to sit late hours. It was already 8-3 P.M. when the jury retired after listening to the Judge's summing-up. They returned at 9-20 P.M. There was solemn silence which was broken by the Clerk of the Crown. "Gentlemen, are you unanimous?" he asked the jury; and the foreman returned a negative reply.

Clerk of the Crown: "I do not want you to tell me the verdict, simply give me the number you are divided by."

Foreman: "Seven to two."

Clerk of the Crown: "On all charges?"

Foreman: "Yes, on all the charges."

Clerk of the Crown: "What is the verdict of the majority?"

Foreman: "Guilty."

Clerk of the Crown: "Seven to two?"

Foreman: "Yes."

The Judge now asked the foreman if there was any chance of the jury being unanimous.

Foreman: "I am sorry to say, my Lord, that I am afraid there is none."

Judge: "No chance of becoming unanimous?"

Foreman: "No chance."

Thus, again, as in 1897, the two Indians returned a verdict of not guilty, and all the seven Europeans found Tilak guilty of all the charges. It seemed as if the jury had been so constituted as to circumvent the provision which laid down (Section 305 of the Criminal Procedure Code) that if the jury was divided by more than six to three the Judge was bound to state whether he agreed with the majority or not and that if he agreed with them, he should give judgment in accordance with the verdict. If, therefore, the division had been six

to three, the conviction may not have been secured so easily. The Judge had said at the beginning of the trial that the constitution of the jury would be such as would give fair representation to Indians. The promise was not kept when the jury was actually constituted, and it was generally suggested that the apprehension of Indian jurymen's unanimity was the cause of its questionable constitution. The object of the prosecution was achieved, and the Judge now said, "I have no option but to pass sentence."

At this stage Tilak rose to say, "I apply for certain points of law to be reserved under section 434 of the Criminal Procedure Code."

Judge: "What are the points?"

Tilak: "I will read them."

The points which Tilak wanted to be reserved and referred to a Full Bench were: whether the whole trial was not vitiated owing to offences of two distinct commitments having been tried together in opposition to defence objection; whether the accused lost his right of reply by the mere filing of the several papers forming exhibits; whether the article of June 9, entitled "These Remedies Are Not Lasting", could be made the subject simultaneously of two charges, one under Section 124-A and the other under Section 153-A, without in either case specifying the portions coming thereunder; whether, having regard to Section 222 of the Criminal Procedure Code, the charges were legally defective inasmuch as none of them gave the accused notice of the particular objectionable portions, and if so whether the whole trial was not vitiated thereby; whether the charge under Section 153-A was not legally deficient in not indicating the classes between whom the accused was alleged to have promoted or attempted to promote feelings of hatred.

These were the main of the fourteen points Tilak put forward before the Court. The Judge did not think "that any of these points have any substance in them," and declined to accede to the request.

The Judge then asked Tilak: "Do you wish to say anything more before I pass sentence?"

Tilak: "All I wish to say is that, in spite of the jury, I maintain that I am innocent. There are higher Powers that rule the destiny of things, and it may be the will of Providence that the cause which I represent may prosper more

by my suffering than by my remaining free."

The Judge now performed the last act, and delivering his judgment said: "It is my painful duty now to pass sentence upon you. I cannot tell you how painful it is to me to see you in this position. You are a man of undoubted talents and great power and influence. Those talents and that influence, if used for the good of your country, would have been instrumental in bringing about a great deal of happiness for those very people whose cause you espouse. Ten years ago you were convicted, and the court dealt most leniently with you then, and the Crown dealt still more kindly with you. After you had undergone your simple imprisonment for one year, six months of the sentence were remitted upon conditions which you accepted.

"It seems to me that it must be a diseased mind, a most perverted mind that could say that the articles which you have written are legitimate weapons in political agitations. They are seething with sedition; they preach violence; they speak of murders with approval and the cowardly and atrocious act of committing murders with bombs not only seems to meet with your approval, but you hail the advent of the bomb in India as if something has come to India for its good.

"As I said, it can only be a diseased and perverted mind that can think that bombs are legitimate instruments in political agitations. And it would be a diseased mind that could ever have thought that the articles you wrote were articles that could have been legitimately written. Your hatred of the ruling class has not disappeared during these ten years. And these articles were deliberately and defiantly written week by week, not, as you say, on the spur of the moment, but a fortnight after that cruel and cowardly outrage had been committed upon two innocent English women.

"You wrote about bombs as if they were legitimate instruments in political agitations. Such journalism is a curse to the country. I feel much sorrow in sentencing you. I have considered most anxiously in the case of a verdict of guilty being returned against you what sentence I should pass upon you. And I decided to pass a sentence which I considered will be stigmatised as what is called 'misplaced leniency'. I do not think I can pass, consistently with my duty and consistently with the offence of which you have been found guilty, a lighter sentence than I am going to give you. And I think for a

man in your position and circumstances that sentence will vindicate the law and meet the ends of justice. You are liable to be transported for life under the first two charges. I have considered whether to sentence you to transportation or imprisonment. Having regard to your age and other circumstances, I think it is most desirable in the interest of peace and order, and in the interest of the country which you profess to love, that you should be out of it for some time. Under Section 124-A, I am entitled to pass sentence of transportation for life or any shorter period, and I pass a sentence of three years' transportation under each of the first two charges, the sentences to run consecutively. You will thus have six years' transportation." To this was added a fine of Rs. 1,000.

The sessions were then adjourned.

Apparently, the Judge had agreed to co-operate with official arrangements to avoid demonstrations against the conviction. It was believed that in the evening the crowds waiting outside the Court would begin to disperse, and by the time the hour of judgment came, there would be few people to receive the news; and by the time the news reached the city, people would be asleep. But at about 7 P.M. it became known that the Judge had decided to finish the case that very night, and within a couple of hours, thousands of people gathered at the entrances to the High Court premises; they would not leave until after the judgment was pronounced.

When the jury retired, there was, for two hours, the silence of a graveyard in the court-room. In that dead silence, in the dim gas-light, all eyes were fixed on Tilak. There was calm serenity on his face; it was the non-attachment of the Gita writ large. He seemed completely indifferent to the result. "Action is thy duty, reward is not thy concern." It was the baring of a soul, something between him and God. He had conquered and was ready and unafraid. And when the sentence was pronounced, while the spectators sobbed, he stood as calm and collected as before.

At 10 P.M. the Judge rose, and all rose with him. At once, the standing policemen took charge of Tilak and put him in the van waiting outside. It was raining heavily; the night was dark; and the crowds melted away after all was over. The mounted police were galloping in every direction outside the court buildings.

The next day, July 23, was Tilak's birthday.

CHAPTER XLVII

PRESS COMMENTS: CONTEMPT OF COURT

THE entire press of India, with few exceptions, burst out in anguish as the news of the conviction and long term of imprisonment became known. There were caustic yet thoughtful comments aspersing the impartiality of the Judge. Naturally, the papers of Maharashtra particularly and of the Bombay Presidency generally were more vocal and more outspoken than others. Unmindful of the consequences, they expressed themselves unreservedly, crossed the border line, and were prosecuted for contempt of court. How could they swallow with equanimity the Judge's remark that Tilak did not, but only professed to, love his country? The press and the people were deeply hurt by these words. The Indian press had been closely watching and making its own deduction from the day-to-day proceedings. Some papers had even hazarded a forecast of the result as soon as they knew that seven Europeans had been empanelled in the jury. Others surmised from the first that the Judge would pass a severe sentence when they noticed his affected solicitude for the interest of the accused. The educated public expected axiomatically that a gloomy night of injustice was ahead.

Of a number of papers which made direct attacks on the integrity of Judge Davar, contempt of court proceedings were started against two—the *Mahratta* and the *Dnyan Prakash*. After pointing out many defects of the trial the *Mahratta* had said: "And what shall we say of the Judge who tried the case? It goes without saying that Mr. Justice Davar gave Mr. Tilak a very patient hearing, but we must express our disapprobation of the affection of which he was guilty in his charge to the jury, and must strongly and positively condemn some of the words he used towards Mr. Tilak in passing a severe sentence upon him. It was observed in the course of the trial that whenever any question arose for a ruling by the Judge, it was invariably found that His Lordship had considered it long before it was actually discussed. Whatever His Lordship did was in the interest of the defence itself! If Mr. Tilak was

not released on bail, it was in his own interest! If a special jury was ordered to be empanelled, the same consideration, viz., the interest of the accused, was present in the Judge's mind! But as soon as the Judge found his liberty of speech, he took upon himself not only to bestow one-sided and adverse treatment on the incriminating articles, but tried to make the case for the prosecution more complete. The Judge took advantage of his position by saying that Mr. Tilak only 'professed' to love his country. It is a heartless white lie, it is cruel, it is mean, it is cowardly."

The *Dnyan Prakash* (dated July 24) wrote in similar strain: "This is the first occasion on which a Judge has allowed executive convenience to influence him; and Mr. Davar's concluding words create a doubt as to the purity of the Court. The Government wanted to see Mr. Tilak out of the country in the present political situation and preferred to resort to the law-court to accomplish that end to deporting him outright. Justice was surely blind in this case inasmuch as neither the prosecution nor the Judge had a word to say against the diatribes indulged in by the Anglo-Indian press which were placed before the court by Mr. Tilak in the course of his defence. We do not know what Mr. Justice Davar meant when he addressed Mr. Tilak and talked about the country 'you profess to love'. We do not think he would have lost anything if he had resisted the temptation to use harsh language about a man whom he was on the point of ejecting from his mother country. It does not lie in the mouth of Mr. Justice Davar to talk about Mr. Tilak's patriotism."

The editors of the two papers were produced before the High Court, and asked to express apology. The editor of the *Dnyan Prakash* complied with the order, but N. C. Kelkar, editor of the *Mahratta,* refused to do so, and was, therefore, sentenced to fourteen days' imprisonment. He was further to be lodged in jail till he made a suitable submission and apology. The choice before Kelkar now was either to pass the rest of his life in jail or to apologise. He preferred the latter, and after doing his fourteen days' term, he offered an apology and came out.

There were other papers too which similarly exposed themselves to the charge of contempt of court, but they were not proceeded against, and perhaps wisely. Never, except in 1897, had a judgment been denounced so publicly, and prosecution

of so many editors would have meant virtually greater denouncement of the judgment itself. The *Sudharak* (July 27) said: "The Judge was not impartial in his summing up. His strictures upon the accused in passing sentence were poisonous and insulting. There was no necessity for him to salt the wounds already inflicted upon Tilak. It is no manliness to fall upon a man and to abuse him recklessly when he is helpless."

The *Gujarati* (July 26) questioned Davar's conduct in first assuring fair representation of Indians on the jury and then going back on his promise. The *Rashtramat* (July 29) shot out an angry editorial in which it said: "Tilak's patriotism is called in question by a judge who received a fat salary and who never in his life perhaps moved his little finger for the good of the people." Tilak's successor, editing the *Kesari*, was exacerbated to the extent of saying that "Mr. Davar has made himself the laughing stock of the world just like the meddlesome monkey in the fable who came to grief in trying to pull out the peg from a half-sawed beam."

A section of the British press was, to the great relief of the injured nationalism of India, also sceptical. The *Star* believed that Tilak's "articles were not direct incitement to the use of bombs. His language was vague and veiled. He indulged in subtle hints and delicate insinuations. Now, we all know that nothing is easier than to fasten upon the rhetoric of a politician in critical times a darker meaning than it would sustain in times of peace. If India were Ireland, it is possible that Mr. Tilak might have been able to persuade a jury that his language, though dubious, was not intended to stimulate the business of bomb-throwing, he denounced bomb-throwing as 'horrible'. It is to be hoped that the Judge and the jury were alive to the necessity of making assurance doubly sure before convicting and sentencing Mr. Tilak. It is for Lord Morley and his colleagues to see that political reform is pushed on without delay and without dread. Reform is the best answer to the bomb."

The *Manchester Guardian* thought that "the nature of the sentence passed upon Mr. Tilak will be interpreted throughout India as a proof that the Government had resolved by hook or by crook to remove him from their path." Several British papers said that Tilak was, beyond question, the most powerful and astute of living Indians. The London *Times*, agreeing with

this opinion, said in a leading article that Tilak "remained at the moment of his conviction the most conspicuous politician in India and among large sections of the people he has enjoyed a popularity and wielded an influence that no other public man in the Dependency could claim to equal. The Extremists' movement in its open manifestations, both within and outside the Congress, was almost entirely his conception."

The *India* (London) suggested that the trial and sentence could not be regarded as "a triumphant illustration of the impartiality of British justice. It certainly does not strike us in that light and those who have set the engine of the law in motion after this fashion may rest assured that they have dealt a staggering blow to the cause of constitutional reform in the Western Presidency."

Many papers and leaders of public opinion warned both the British Government and the Government of India that Tilak's conviction would lead to grave consequences. The *Morning Leader*, which represented this school, observed: "There are very few people in England in a position to realise what the arrest of Mr. Bal Gangadhar Tilak, the Nationalist leader of Poona, actually means in India. His personal power is unapproached by any other politician in the country; he dominates the Deccan, his own country, and is adored with a kind of religious fervour by every extremist from Bombay to the Bay of Bengal. The break-up of the National Congress at Surat was his doing; his is the mind that conceived, his the pen that expressed, and his the force that has directed the extraordinary movement against which the bureaucracy is now calling up all its resources. He is a thinker and fighter in one."

Almost all Indian papers were unanimous in flinging the accusation on the Judge that by constituting the kind of jury he did, he "abetted" the prosecution in obtaining conviction of Tilak. Here is a typical comment: "There are Hindus as well as Mohammedans in the list of special jurors and the public at large are naturally anxious to know why it was not found possible to give full effect to the assurance given by Justice Davar." The *Mussalman* of Calcutta, after posing the same question, said, "It is unfortunate that courts in the land are becoming more or less devoid of a sense of proportion in inflicting punishments in cases of a political nature."

Perhaps the most bitter criticism of the conviction was made

by the Socialist leader of England, H. M. Hyndman, in the *Justice* of London: "When the history of the governing classes of our country comes to be written, a few generations hence, we firmly believe the judgment of posterity will be that a viler set of ruffians never degraded the records of mankind. Just lately India has afforded the most telling examples of their systematic outrage and their 'execution of justice'. The conviction of the noble patriot and martyr, Bal Gangadhar Tilak, was as gross a miscarriage of justice as has ever been known, even under our carpet-bagger despotism in India. There is no justice for Indians."

But Gokhale took an attitude which surprised and shocked everybody. He was in London then on his fourth political visit, this time on account of Minto-Morley Reform proposals, and Indians there asked him to preside over a meeting they had convened to protest against the sentence passed upon Tilak. Gokhale refused and did not even attend the meeting. According to Savarkar's Marathi book, *Mazi Janamathe,* the refusal so much infuriated some of the hot-heads in the Indian revolutionary camp that they thought of putting an end to Gokhale's life. But Savarkar "bridled them and condemned the sinful thought."

Gokhale had his reasons. He did not like Tilak's politics; in fact he intensely disliked them. Maybe he lacked courage, but the excuse was that he was on a delicate political mission.

CHAPTER XLVIII

DISTURBANCES IN BOMBAY

TILAK's arrest and conviction set up a wave of unrest and consternation, unprecedented in Bombay. The people were violently stirred up as if they were rallying to the standard of rebels. For weeks together, the machinery of law and order worked under great strain, and civil force being unequal to meet the threat, the military was called out to its aid. Never had the people displayed so much courage, and never had unarmed people faced bullets so bravely.

On the day Tilak was produced before the Chief Presidency Magistrate (June 29), large crowds collected outside the court-house and, as if in revenge of a personal wrong, began to interfere with passing Europeans. They shouted and pressed on the police, and disobeyed the police superintendent's order to disperse. They were in a revengeful mood, and stoned both the police and passing Europeans. The 'law and order' then descended on them more violently, and they were dispersed by a lathi charge. Eight of the ring-leaders were taken into custody. After the case had been adjourned for the day and Tilak was removed to jail unknown to the crowds, some people reassembled, and again commenced to throw stones at solitary Europeans passing along the road. The assembly was roughly handled and dispersed by European officers.

The refusal by the High Court of Tilak's application for bail caused almost as much consternation as his arrest, and it was interpreted by the people as proving the animus of Government against Tilak. Therefore, in consequence of the danger of a disturbance on each occasion that Tilak was conveyed to the High Court from the common jail and back during the trial, the route being of some length in the heart of the city, the Chief Judge arranged that Tilak should be kept in a temporary lock-up in the High Court building itself. He was brought to the lock-up of the court early on the morning of July 13, the date on which the trial began, and kept there till the evening of July 17, when the Court adjourned till the 20th. Again on the 19th after nightfall, he was quietly removed to the Court lock-up, and kept there until the close of the trial.

These precautions did not prove of much avail. On the day the trial opened, crowds of mill-hands and other people were seen moving since early morning towards the High Court. They were not allowed to concentrate at one point by the police and the cavalry. There was no disturbance yet, but as the trial was progressing from day to day restlessness was growing.

There were at the time 85 mills in Bombay employing some 1,00,000 hands. Tilak had addressed them several times on Swadeshi and temperance, and they knew him as their well-wisher. There was a wave of excitement among them when they heard the news of his arrest. A large number of them pledged not to work on certain days. The police commissioner rightly concluded from the excited state of the workers' minds that things would not stop at strike alone, and that there would be violent demonstrations. And apprehending that the police might not be able to cope with the situation, he contacted the military authorities, but the Brigadier-General commanding the Bombay Brigade told him that his garrison was not strong enough to furnish the necessary number of men. He, therefore, arranged to have from outside additional troops including a regiment of "native cavalry".

Again, as a precautionary measure, the police commissioner issued a notification (under section 23/3 of the Bombay Act IV of 1902) prohibiting assemblies throughout the city for a certain period. He also interviewed some of the leading men among the mill-hands and warned them of the "danger they ran in fomenting trouble, and advised them to use their authority on the side of Government". Subsequently he saw almost all the mill-owners in Bombay and asked them to "do all in their power to keep their hands in order, as it was generally rumoured that in the event of Tilak being convicted, the operatives intended to strike and demonstrate on a large scale."

His efforts failed. On July 16, operatives of the Queen and the Lakshmidas Mills struck work to go and see Tilak's trial. They were joined by a few hundred employees of four other mills. The next day the strike mentality spread, and 28 mills stopped work altogether. The striking men of these mills went in a body to other mills where work was still going on, and smashed the windows. When they rushed into the premises and began breaking furniture, the cavalry was called out, and the strikers were dispersed.

While the cavalry was busy restoring order inside the mills,

the police commissioner received information that on a road on both sides of which were mill workers' *bastis* some Europeans had been mobbed and assaulted and had taken refuge in a liquor shop. The commissioner, with a few European police officers and men at once rushed to the scene, with the magistrate and the cavalry following. They found on arrival that the liquor shop had been wrecked, while the Europeans had been concealed in an inner room by the Parsi liquor seller. Proceeding along the road to the rescue of another European, they were greeted by a volley of stones from inside the courtyard of a worker's house. There was another mob on the road on which the police party opened fire injuring quite a good number.

On July 19, there was a complete strike: all the mills were closed. But everything was quiet. The next day again, there were similar demonstrations, the same display of force and firing.

But after the morning newspapers on July 23 announced that Tilak had been convicted and awarded a heavy sentence, Bombay's multitudes lost their self-control, and disturbances threatened to take the shape of an open revolt. July 23 was Tilak's birthday, and this added poignancy to the tense situation. In anger and desperation, the crowds asked, "Where is Tilak Maharaj? We shall have him back. He is our king, our uncrowned king." And then, in a fit of wild enthusiasm, they cried aloud "Tilak Maharaj ki jai", "Chhatrapati Tilak Maharaj ki jai".

The shops and mills having been closed for six days—one day for each year of Tilak's imprisonment—the streets presented a deserted appearance, but such of them as were frequented by mill crowds were frightfully full of life. They gave the impression of an army in action, and naturally created nervousness in the authorities. In that state of mind, they thought of maintaining law and order and protecting the lives of Europeans at any cost. Reason was eclipsed by fear, and they resorted to indiscriminate firing, as a result of which many people fell dead on the spot and many others were seriously wounded. The mobs were virtually leaderless and, being in a destructive mood, took pleasure in destroying Government property. Firing did not check the demonstrations, and there were bigger crowds to be seen in the streets on the following days. There was a heavier shower of firing.

According to an answer given in Parliament on August 1, by the Secretary of State for India, the police and military opened fire on six days; fourteen persons were killed and 30 wounded. Unofficial accounts slightly differed from one another, but all put the figures of the dead at about 30, and of the wounded in the neighbourhood of 100.

The shop-keepers were as indignant as the mill-hands, and participated in the demonstrations with the same vigour. A casual remark of an official that shopkeepers were not opening their shops for fear of mill-hands so much enraged them that they came out in a body to give lie to the suggestion. They too faced their share of firing, and one of them fell dead. Later, the police stated that this man was throwing stones at the police and was therefore shot down. His name was Shivalal Kanji. This kind of shooting was indefensible. "The question to be considered is", said the weekly *Sudharak* (August 17) "whether the police or the magistrate had any authority to pick out and shoot particular men from amongst the riotous mob. It is tantamount to summarily sentencing them to death and immedately carrying out the sentence."

Six days had already elapsed, but the shopkeepers were in no mood to open their shops. The mill-hands were still defiant. The Bombay Governor, therefore, called a conference of leading men of the city to help him restore peace. The good offices of Sir Vithaldas Thackersay, whom the *Indian Spectator* described as 'Knight without a sword', were invoked by the Government. He approached the shopkeepers, but was curtly told that they knew their business well enough. The efforts of other leading merchants were equally futile. The Government had by now realised the futility of the use of force, and issued a proclamation saying that they "have no desire to force any persons to resume work".

Similarly the mill workers were in no mood to listen to any advice. Here is an example of how they reacted to advice: The *Oriental Review* of July 29, wrote: "We have interviewed a large number of the mill-hands on strike during the last few days. When asked what Tilak and his confreres had done for them, they unhesitatingly declared that he was fighting their battles with the Government, and that he was prosecuted because he attempted to rescue the people from the clutches of the demon of drink. When we told them that Tilak was not prosecuted for these reasons, they flew into rage."

They would not talk to another person, S. M. Edwards, who went to them on the same mission. "Let us have a look at Tilak Maharaj," they told him. The officials said that the mill workers' feelings had been worked up by Tilak's agents who had gathered in Bombay to paralyse normal life in the city. But the head of the detective department, Sloane, according to the Director of Criminal Intelligence's letter (dated August 5, 1908) to the Home Department of the Government of India, did not agree with this view. He regarded the strike as a "spontaneous exhibition on the part of the mill-hands". The multitude of people somehow believed that Tilak was an incarnation of God and that a diabolical government had put him behind bars. To the more intelligent sections of the people, he was as great as Shivaji. During the disturbances in Bombay, a medal was struck having the effigy of Shivaji on one side and that of Tilak on the other. The names of Shivaji and Tilak were frequently coupled together and the latter had become known as "the man who is to expel the British from India."

When all was said and done, the authorities took a sane view of the happenings as is apparent from the wording of a letter of police officer Gell which admitted that "at places where other collisions took place equal forbearance was not shown, and there are some who think that the shooting in some cases was unnecessary, particularly where Mr. Hill Trevor was special magistrate. This gentleman is, I believe, the son of a lord and sells cigarettes—good attributes in themselves but bad in combination. His general jumpiness had attracted the notice of members of the Yacht Club before the riot began, and this naturally lends colour to the belief that the shooting which he initiated was uncalled for."

During the riots, the authorities acquired a piece of valuable information; it was that the Bombay police could not be wholly depended upon. The Director of Criminal Intelligence said that policemen "are all Ratnagiri men together and of course in league; 75 per cent of the Bombay police are Ratnagiri men. Here, as in the districts, there are no arrangements for recruiting police outside the Presidency, and they howl about for increase of pay. I wonder what would happen if the Calcutta police were recruited from Bengal. The sooner they start recruiting outside the Presidency the better." Tilak hailed from Ratnagiri, and most policemen were unhappy over

the long term awarded to the great Maratha leader.

The Director of Criminal Intelligence, left to himself, would not have prosecuted Tilak merely for articles in the *Kesari;* he was in search of an opportunity of implicating him in some case involving violence. He wrote in his letter: "Regarding the political effect of the action taken against Tilak I feel no enthusiasm. It must be remembered that many ignorant people do actually believe now that we are tyrants and robbers and [they] are ready to put the worst construction on our actions. Had we been able to connect Tilak with the bomb or gun-running business even indirectly no one could have questioned any action that we might take in order to 'scotch' him. From my point of view the action of the Bombay Government was premature. At the same time the necessity is greater than ever for working out Tilak's connection with Calcutta and Baroda and with Hotilal Varma. I very urgently require any information that Bramley can get out of Hotilal."

As in Bombay so in the rest of the country, people were struck with horror when they heard that Tilak had been spirited away from them for six years. In many cities and towns, business was suspended for a day; schools and colleges were closed, and protest meetings were held. Public meetings continued to be held for several months. In some schools, the headmasters made the absentees, when they attended school the next day, stand up in the class-rooms for a few hours. The higher educational authorities were not satisfied with this punishment, and ordered the school authorities to collect a fine of eight annas from each student who absented himself on the Tilak Judgment Day.

Perhaps the killing and rioting in Bombay could have been avoided if the mill-hands had been allowed to hold their meeting to express sympathy for Tilak. That was the view of the *Mahratta.*

In fact, the Bombay Government's obstinacy in launching the Tilak prosecution was now denounced in high official quarters. The Secretary of State, Morley, wrote to the Bombay Governor, after the conviction: "I won't go over the Tilak ground again beyond saying that, if you had done me the honour to seek my advice as well as that of your lawyers, I am clear that it should not have been so dangerous as the mischief that will be done by this sentence. Of course, the milk is now spilled, and there is an end of it."

There were many in England who shared Morley's views and, in order to convince Morley of the rectitude of its action the Bombay Government wrote to him a long letter giving an account of Tilak's political activities since the very beginning of his public life. Some portions of this letter make interesting reading and may be quoted here.

"After a year of comparative quiescence (after his release from jail in 1898), Tilak again entered the field and devoted his energies to the elaboration of the Ganpati celebrations and to the extension of the cult of Shivaji which spread even to parts of India where the memory of Maratha Chief could not have been expected to be revered. Tilak was at this time indefatigable in attending meetings in all parts of the country, and the burden of speeches was always the same—the misery of the Indian people and the iniquity of the British Government. Sometimes he advocated insurrection as at the Shivaji celebrations of 1902 where he pointed out that the Boer system of warfare, which had been successful against the British, was that which had been adopted by Shivaji against the Mohammedans. From this, he drew the lesson that it was not impracticable or impossible for any other people to do the same by acting together with due caution. A further move took the form of the institution of the Paisa (or farthing) Fund, so called from the supposed amount of each contribution. This fund was ostensibly intended for the advancement of agriculture and industries, but there is reason to suppose that the money, which is collected by agents appointed for the purpose in different places, is devoted to other objects and especially to the support of 'National' schools which are in effect schools of disloyalty, established for the purpose of educating youths in hatred of the British Government. A complete record of Tilak's activities during this period would run to tedious lengths."

The letter then goes on to say: "Nothing, it was asserted, would now suffice but complete independence and the expulsion of the English from India. In order to attain these ends he favoured violence; but the main bent of his teaching was an appeal to the people to render the Government of India impossible by withdrawing their services from all State departments and by refusing their co-operation in public affairs. A series of articles appeared in the *Kesari* urging that Russian methods of government should be met by Russian methods of

retaliation. These doctrines were assiduously preached by his adherents throughout the country and at the end of 1907 he felt himself strong enough to capture the Congress organization. It became increasingly evident that Tilak and his adherents, practical in their aims and unscrupulous in their methods, dominated the party of vague political aspirations; and that, if his activity continued unchecked, they would become the sole guides and dictators of public opinion and action in this Presidency. The state of affairs appeared so critical that we were finally compelled to sanction the prosecution of Tilak."

The letter added: "Tilak is not simply a journalist betrayed by a generous enthusiasm for impracticable ideas into rash and injudicious writing. He is one of the chief conspirators, perhaps the chief conspirator, against the existence of the British Government in India, of the weak points of which he has made a careful study. His Ganpati festivals, Shivaji celebrations, Paisa Fund, and National Schools were all instituted for one purpose, the overthrow of British rule. If he had been allowed more time to mature his plan, it is quite possible that he might have succeeded in promoting a general strike, which is one of the Russian methods advocated by the violent party. There is no direct evidence to show how far he was cognisant of the design of the so-called 'anarchists' of Bengal; but there is no doubt that he was in close communication with some of the leaders. The notorious Hotilal Varma, who is now under sentence of seven years' imprisonment, and is also under trial for tampering with the loyalty of the native regiment at Hongkong came to visit Kharparde, Tilak's principal lieutenant, and had an interview or interviews with Tilak in November 1907 before his journey to Europe for the purpose of procuring arms and ammunition."

The letter then suggested that Tilak's case was not one in which mercy could be shown: "Judges, magistrates and jurymen who have hitherto done their duty in spite of obloquy and insult, and at some personal risk, could not be expected to remain firm if they found that acts which have been legally pronounced to be serious crimes against the State were condoned as venial offences."

After all the voices raised in favour of Tilak had been silenced, the official repentance was that Tilak had been made a martyr.

CHAPTER XLIX

SIX YEARS IN EXILE—WIFE'S DEATH AND EXTINCTION OF EXTREMIST PARTY

TILAK was yet confined in the Sabarmati gaol but the decision to send him to Burma had already been taken. A Home Department note advised against sending Tilak to Mandalay as that place, the note suggested, was associated "with lenient treatment of Lajpat Rai". The Home Member of the Government of India thought Insein jail, ten miles from Rangoon, to be "the most suitable". But it had a damp climate, and he said that "if Tilak's complaint, which I understand is diabetes, requires a dry climate, I am afraid there is no large suitable jail in Burma except Mandalay." The choice therefore fell on Mandalay.

On September 14, in the morning, Tilak was put on board the R.I.M.S. HARDINGE for Rangoon. That was the last day of the Ganpati festival. There was great enthusiasm at Belgaum, and the police authorities issued certain orders to regulate the celebrations. These were duly obeyed. But in the afternoon, an oral order was made prohibiting shouting of slogans like "Bande Mataram", "Tilak Maharaj ki jai", and "Shivaji Maharaj ki jai". But as this new order was not embodied in the proclamation made earlier, it was disregarded by processionists. The police construed this attitude as defiance of orders, and thrashed several boys and beat up others. Seventeen persons were arrested, and the carts carrying the idols of Ganapati and effigy of Tilak were detained. The carts were allowed to go after Tilak's effigy had been removed.

In the State of Limbdi, the police prohibited sale of Tilak's photographs. All the copies in possession of a student were seized, and he was asked not to sell in future Tilak's or any political leader's pictures. Every shopkeeper in the town of Limbdi was compelled to remove Tilak's portrait from his premises.

There was a word of sympathy everywhere for Tilak's family, but few came forward to render real help. In the first week of September, 1908, a women's meeting was held

in Bombay for the purpose of expressing feelings of sympathy towards Mrs. Tilak in her mental distress. About 700 ladies participated in the meeting, among them being three or four Mohammedan ladies in purdah. The meeting, which was presided over by a leader of the Swadeshi movement in the Punjab, Mrs. Sarla Devi, passed a resolution consoling Mrs. Tilak.

On September 21, a week after Tilak's departure for Rangoon, the newspaper offices received after midnight an official communication informing them that the sentence of transportation passed on Tilak had been commuted by the Bombay Government to one of simple imprisonment "in consideration of his age and condition of health," and that the fine of Rs. 1,000 had been remitted. This seemingly merciful order deprived Tilak of some of the advantages accruing to a transportee, who was entitled to greater remission. A transportee lived in perfect freedom in the Andamans after furnishing some security; but Tilak had to pass six long years in a room measuring 20 x 12 feet. In vain did he once again represent to the authorities against this revengeful mercy. (In October, 1909, on account of an outbreak of cholera in the Mandalay jail, he was removed to Meiktila prison for a brief period.)

On August 7, while he was yet in the Sabarmati gaol, a petition was made to the Full Bench of the Bombay High Court for permission to appeal to the Privy Council, but it was refused. This was followed by another petition to the Judicial Committee of the Privy Council for special leave to appeal, but that too was dismissed. A third attempt was made. This time, a petition was drafted for presentation to the House of Lords asking that the order of the Judicial Committee might be reviewed by the Magisterial Council of the Peers in Parliament "to the end that by a presentation to the King justice might be done". But as the projected petition necessitated its presentation by a Peer, a memorial was presented to the Secretary of State for India by a solcitor of Tilak. Among the grounds of the appeal, the most conspicuous was that the "evils of the trial were aggravated by the fact that it was the trial of a political offence in the most populous province of the Empire where the liberty of the subjects was not yet provided with those safeguards which had long existed in the United Kingdom". The solicitor demanded "that the

unlawful sentences passed upon Tilak may, either by a pardon or by a remission, be reduced to the proportion which they would have been if there had been a fair trial."

The Government of Bombay through whom the petition was submitted returned it saying that it should be addressed to the King Emperor of India. And when the instruction was carried out, the solicitor, E. Dalgado of London, got this reply from the India Office: "Your petition to the King on behalf of Bal Gangadhar Tilak has been laid before His Majesty, who has been pleased to direct that it should be referred to the Secretary of State for India, who regrets that he has been unable to advise His Majesty to accede to your prayer."

Early in May, 1909, Tilak's principal lieutenant, G. S. Khaparde, who was in London then, wrote to him asking whether he would agree to conditional release. Tilak turned down the suggestion; he would prefer death in jail to living outside like a dead man. In his reply to Khaparde (May 29, 1909), he said:

"I have received your kind letter dated 6th instant on 28th instant. The question, viz, whether I would accept any conditions and if so what, is indeed an awkward one.

"I shall tell you my mind about the acceptance of any conditions. If the conditions are the same as those offered to me in 1898, I would not hesitate to accept them. I do not care for demonstrations and such other honours. I would gladly forgo them. But once out of jail, I must have the same liberty of action as every citizen enjoys under the law of the land. That was secured to me by the conditions of 1898, and I accepted them in consequence. But I do not think the same conditions would be offered now. They will, if offered at all, be harsher now; and I do not see how I can accept them. I have now nearly completed one year of my punishment, and after five years more I shall be, at any rate I hope to be, amongst you as a free citizen. Do you think I should surrender this chance, distant as it is, by voluntarily incapacitating me (by the acceptance of the conditions) for any public or political work for ever?

"I am already 53 years. If heredity and average health be any indication of the longevity of a man, I do not hope to live at best for more than ten years more. Of these five, say, are available for unrestrained public work, which, if I accept any condition of the kind you mention, I shall have to live as a

dead man. To say the least I do not like that kind of life. It is true that my activity is not confined to politics; and I can do literary work even if I be prohibited from taking part in politics. I have considered this view fully, and have come to the conclusion that it is inconsistent with all my antecedents. In fact I shall be undoing my life's work thereby. You know that I have never lived exclusively for my family or for myself alone, but have always endeavoured to do my duty to the public. Now judge what would be the moral effect of my effacing myself from public life, for the sake of five years' personal comfort.

"From these remarks you might think that I may accept a condition imposing restriction on my public activity for a short time, say, six months or a year after my release. But I shall rather like to be in jail for that period than be out a disabled man. The sum total of the above remarks is that I would like to be a free citizen as soon as released. The Government have already secured power to keep me out of public work for five years more and it will be *quid pro quo* and not mercy if, by releasing me now, they secure my permanent abstention from public activity."

On his return from Mandalay in 1914, Tilak did not have a word of complaint about living conditions in jail. But Subhas Chandra Bose, who was lodged in the same prison in 1925, says: "I often used to think and wonder how in those circumstances Lokamanya could go in for prolonged intellectual work for over five years. Only one who had attained complete self-mastery, who was altogether indifferent to pleasure and pain and heat and cold, could rise above such dismal surroundings. Lokamanya was all alone in that horrid cage—the only society that he could get was the none too desirable company of the jail officials whenever they dropped in. Even the ordinary prisoners of the jail were not allowed to associate with him.

"Even in small matters Lokamanya's freedom inside jail was restricted. He could not have had more than two books at a time. His correspondence was subjected to censorship. When he had interviews with his people or with Mr. Khaparde officials used to be present, the conversation would be followed closely and he would be pulled up at times. All these pinpricks must have told severely on his sensitive mind.

"In this connection I am reminded of an anecdote. A certain

Government official came to see Lokamanya in prison and said, 'How are you, Tilak?' The omission of the prefix 'Mr.' was too much for Tilak and in a rage he went for the official. The official was first taken aback for he did not expect to find such a keen sense of self-respect in a prisoner, but he ultimately got out of the scrape by apologising.

"Tilak was fond of gardening and there are trees which exist today which are reported to have been planted by him.

"He was suffering from diabetes and had to adhere to a very rigid diet. I have heard from the officer who was in charge of the jail at that time that he lived practically on barley or on wheat. He was allowed to receive ghee from his people, but hardly anything else. A Marathi-speaking convict was sent to Mandalay from an Indian jail, and he used to cook for Lokamanya.

"I still wonder how in those circumstances Lokamanya Tilak could produce a magnificent work like *Gita-Rahasya.*"

Tilak was entitled to an interview every three months and when, in December, 1908, two of his relatives went all the way from Poona to Mandalay to avail themselves of the first interview, they were deeply disappointed. The time allowed them was so short that they were left wondering whether it was at all an interview. They had, however, the satisfaction that they had seen him, and would at least be in a position to tell his dear ones that he was in good spirits. He was not allowed to write private letters, and there was no communication between him and his family. He was allowed no newspapers. For six years, he did not know what was happening in the world outside the Mandalay Central Jail.

And, poor Mrs. Tilak; she was in good health but domestic worries and constant anxiety about her ailing husband overpowered her courage and fortitude, and she died early in June, 1912. The news was conveyed to Tilak by telegram by his nephew, Dhondo Pant. When he read the telegram, there were hardly any signs of grief on his face. He immediately sat down to write a letter (dated June 8, 1912). In this letter, which was allowed to be delivered, he said:

"Your wire was a very great and heavy blow. I am used to take my misfortunes calmly; but I confess that the present shook me considerably. According to the beliefs ingrained in us it is not undesirable that the wife should die before her husband. What grieved me most is my enforced absence from

her side at this critical time. But this was to be, I always feared it, and it has at last happened. One chapter of my life is closed and I am afraid it won't be long before another will be.

"The task of looking after the physical and intellectual development of my sons falls on you now with greater responsibility. Let them remember that I was left an orphan when I was much younger than either of them. See that their time is not lost in useless grief. The inevitable must be faced boldly."

Tilak in jail was a greater hero than outside and revolutionaries both in India and abroad constantly used his name to inspire young men. They were asked to emulate him and to make a more determined attempt to strike at the British authority.

After the announcement of judgment in the Tilak case, Shyamji Krishna Varma, one of the pioneers of the Indian revolutionary movement in England and who was inspired by Tilak's suffering and sacrifice, started in London his famous paper, the *Indian Sociologist,* which carried on, for a long time, propaganda against the British rule. He was later joined by scores of others, and after the arrival of Har Dayal, that celebrated leader of the Ghadar movement during the first World War, Indian revolutionaries were to be found working against the British in many countries, and preparing for an armed revolt in India.

In India, a number of political workers, suspected of association with Tilak, were arrested. Members of the All-India Volunteer League were harassed and victimised. Some of them were taken into custody. Tilak was president of this organization, although, on account of his preoccupation with other activities, he was able to do pretty little for it.

In the Central Provinces, Tilak's imprisonment was used as an incentive to bring into being several secret organizations, the chief among them being the Arya Bandhav Samaj. The aim of the Samaj was "to drive out the British by war, by collecting a secret army of thousands of Indian young men". It reminded its members of the teachings of the Gita: "If you are killed in war, you will go to heaven. If you survive, you will rule the earth." Members of the Samaj invited Muslims

to join; and some actually were enrolled. Hindus were encouraged to take part in Muslim festivals and fraternise with that community.

In the city of Hoshiarpur (Punjab), Amarnath, an admirer and follower of Tilak, started a paper to propagate his views; the paper was named *Tilak*. The first issue of the paper appeared in April, 1909, and in June it was suppressed. The press was also confiscated. The district magistrate in his order said: "The *Tilak* is a menace to the public peace; the paper, which is extremely scurrilous, finds a ready sale in Lahore and elsewhere."

In many places, a number of organizations were started and called after his name. His speeches and writings were published in several Indian languages. In the Punjab, that enterprising and courageous leader, Sufi Amba Prasad, published an Urdu version of them and suffered for this act.

Political advance in the constitutional sphere was, however, halted; nay, it received a set-back. At the Congress sessions, there was now greater display of loyalty to the British Government. In a speech he made at Poona in July, 1909, Gokhale urged loyal co-operation with the British rule for two reasons: "One that, considering the difficulties of the position, Britain had done very well in India, the other that there was no alternative to British rule and could be none for a long time. . . . They could proceed in two directions; first, toward an obliteration of distinctions, on ground of race, between individual Indians and individual Englishmen, and secondly, by way of advance towards the form of government enjoyed in other parts of the Empire. The latter is an ideal for which the Indian people have to qualify themselves, for the whole question turns on character and capacity, and they must realise that their main difficulties lie with themselves."

Again at Bombay, in October of the same year, he told the Students' Brotherhood: "The active participation of students in political agitation really tends to lower the dignity and the responsible character of public life and impair its true effectiveness."

This was undoing what Tilak was attempting to do. At the Congress of 1909, even his name was not mentioned. The authorities had already wiped out the Extremists a year before. In December, 1908, they were to hold the first meeting of the Extremist Congress at Nagpur, and while announcing it its

promoters repudiated the anarchist cult. But the Chief Commissioner of the Central Provinces disallowed the meeting, under section 144 of the Criminal Procedure Code. The reception committee asked for an opportunity to explain its position and enquired the reason for the official attitude. No answer was given.

A more stringent law, the Criminal Law Amendment Act, was enacted and some workers of the Extremist Party were arrested and deported without trial. Of the two principal lieutenants of Tilak in the Party, Aurobindo quietly left British territory and engaged himself in spiritual pursuits, and B. C. Pal proceeded on a tour of Europe.

Thus ended the Extremist Party so assiduously built up by Tilak.

CHAPTER L

HOMECOMING

As the six years' exile was drawing to an end, the thought that Tilak would once again be a free man caused anxiety to the Government. The authorities were happy at the changed political conditions during his absence, and were, early in 1914, busy gathering likely reactions to his re-emergence in politics. The Bombay Government sent round Criminal Intelligence Department officers to visit some of Tilak's close associates. The Government had decided to forearm itself; the reports of these officers were to determine what amount of caution was necessary.

During the six years' absence from home, the financial condition of his family had completely broken down. None of his friends took any interest in the welfare of his family except N. C. Kelkar and D. A. Khare. The circulation of the *Kesari* had considerably fallen, and the income was hardly sufficient to keep up the establishment.

On the basis of information gathered from a few political leaders, the deputy superintendent of the Intelligence Department reported to the Bombay Government that Tilak, after his return, would not get any support from the public in any agitation. But Kelkar's reaction, which turned out to be a true forecast, was: "There is still sincere and heart-felt sympathy for him among the public, and if the people are left to themselves, they would show more sympathy for Tilak than for Gokhale. He is a man of wonderful intelligence and luck; and it will not be surprising if he were to start some kind of agitation which would be followed in a short time all over the country."

In Delhi, the discussion at the Secretariat level suggested that there was hardly any ground to apprehend trouble. But the Home Member of the Government of India, a very experienced officer, did not agree with this view: "I do not think we need be quite so reticent. Tilak had many close adherents in Berar, in the Central Provinces, in Baroda, in Indore and Gwalior, and many admirers in Bengal, the United Provinces and Lahore. It is only natural, therefore, that we

should like to know Bombay's estimate of the extent to which his influence is likely to revive. Personally, I think that if nothing else he will work underground to revive discontent and agitation. I do not for a moment suppose that he is converted."

The Government of India called for information from the Bombay Government as to the probable results of Tilak's return on agitation in Maharashtra, whether this was likely again to become active under stimulus, or whether he would find it difficult to regain position as a leader. The Viceroy thought that Tilak's release was clearly an event which might affect the political atmosphere materially. In spite of reassuring C.I.D. reports, the Bombay authorities were feeling uneasy, and, as the following extracts from the local Government's letter to Delhi show, they were sorry that the calm atmosphere they had brought about during Tilak's absence would be disturbed once again.

"Since Tilak's incarceration the political situation has undergone a great change. The steady measures that have been pursued to repress sedition have effected great improvement. The prosecution in the Nasik conspiracy cases broke up the organisation which the anarchist party had constructed, and as there has been no leader of commanding influence to bring the scattered units together, the party is apparently without any definite organisation. It has also to be remembered that discipline in schools and colleges has been greatly strengthened. The effect of these disciplinary measures is clearly indicated by a reliable report recently that one of the extremist Brahmins of Bombay had said that it was hopeless to expect a popular welcome for Tilak while Government continued their present policy with regard to students. The press also is well under control, and, so long as the Press Act, 1910, is kept on the Statute Book, is not likely to be roused to the dangerous seditious propaganda that was rampant in 1908.

"On the assumption, therefore, that Tilak will remain in Poona, and will attempt to enter political life, it is clear that some time must elapse before he can regain his former influence. During this period the exercise of the utmost vigilance will be called for. The Governor-in-Council is confident that, by a wise exercise of the powers under the Press Act and by other means, the Deccan can be prevented from falling into the openly seditious conditions of 1908. While,

therefore, Tilak's return to Poona is likely to lead to a recommencement of agitation, which is at present dormant, there is little chance of his being able to raise the ferment of former days."

This correspondence led to the conclusion that Tilak's journey from Mandalay to Poona and his release should be kept a closely-guarded secret. The instruction was carried out to the letter, and in the long journey from Burma to Poona, not one public man knew that he was being taken back home. His arrival in Poona was unknown except to a few officers of Government. For some days he was kept in the Yeravada prison, and at dead of night on June 16, 1914, he was conveyed to his house, and released there at 0-45 hours (June 17), a few weeks before the expiry of the term. The remainder of his sentence was unconditionally remitted by the Bombay Government. He was now at the doors of his house. But what a homecoming! The night watchman did not recognise him, and at first refused to admit him. He then shouted to his people; the doors opened, and he entered once again into the family circle from which he had been snatched six years earlier.

Once again, there was a controversy over the release. Apparently, the Bombay Government released him prematurely on its own responsibility, and the Government of India got the news a day later only from the Indian News Agency telegrams. Delhi was under the impresison that he would not be released until the end of July, and had, therefore, not yet taken the steps they had intended to take. Immediately on getting the news, they caused orders to be sent to the deputy commissioners in the principal Maratha districts telling them that they should not allow any public demonstration on a large scale to celebrate Tilak's release and that, should anything of the kind be attempted, action should be taken under section 144 of the Criminal Procedure Code.

In the morning (June 17), news spread in the city that Tilak was back home, and during the day he was visited by large crowds, a spectacle for which the authorities were wholly unprepared. In hot haste, they made 'security arrangements', and started a couple of miniature police posts in the neighbourhood of Tilak's house. Visitors to his house were boldly and openly accosted, and were required to give out their names. Among the the numerous visitors there were some Govern-

ment officials also, who were given severe warning subsequently.

Three days later, on June 20, some of his followers and admirers met in the hall of the Sarvajanik Sabha and resolved to give him a formal *pan-supari* (entertainment) party the next day. At the party, Tilak was profusely garlanded; Shankar Ganesh Lavate read out the names of the societies and individuals as they garlanded him. Lavate then distributed *pan-supari* to those who were on the platform and said: "Revered Tilak would now give the speech which you have all been so eager to hear. After the speech is over, all will take *pan-supari* and disperse."

Tilak then stood up, and amidst thunderous applause spoke these words: "From the arrangement that was made [in the Mandalay jail], it appeared to be the object of those who were concerned with the management that I should forget what was going on outside. I cannot imagine what their motive was. From the large assembly gathered here I can guess that the people have not forgotten me and I can say that I have not forgotten them. I shall behave towards you in the same relation, in the same way and in the same capacity as I used to do before. I believe that the assembly of today shows that you are all willing to accept me as such. Six years ago, you gave me your affection and sympathy whether I deserved them or not, and thus assisted me in my work. I pray the Almighty may enable you to extend the same affection and sympathy to me in the future and give us sufficient energy to tread the path which you and I have to follow."

This solemn declaration gave a quietus to the rumour that had got currency that Tilak "intended to devote the evening of his life to meditation and the study of scriptures."

For several minutes after he sat down, the audience continued to shout at the top of its voice, "Tilak Maharaj ki jai", "Bande Mataram".

Earlier when *pan-supari* was being distributed, Dr. D. V. Patwardhan regaled the audience with several songs. One of them was a prayer to the Almighty to bestow long life on Tilak and Swaraj on India. Another song condemned the use of foreign cloth and foreign sugar.

Among the audience were a large number of students whom the Government had desired to keep away from the influence of Tilak. There were nearly a hundred ladies in the gallery.

CHAPTER LI

GITA RAHASYA

In the Mandalay jail, within a brief space of five months—November 2, 1910, to March 30, 1911—Tilak produced a monumental work which he named *Gita Rahasya*. Written in the Marathi language, the book is a commentary on the Gita, and runs into 900 pages. When Tilak was released in 1914, the jail authorities did not permit the manuscript to be taken out. He was told that it would be returned to him after scrutiny and examination by Government. For several months he waited, and when the draft did not come his friends were disappointed and began to suggest that Government had no intention of returning it. Unconcernedly, he replied: "The whole thing is in my mind, and I will dictate it again."

The draft was gone through by a Marathi expert in the Government, and, on his certifying that there was nothing incriminating in it, it was returned. At once 5,000 copies of the book were printed; they were all sold out within a few weeks. It was like a rationed commodity, no one being allowed to buy more than a copy. Since then the book has gone into many editions and been translated into several Indian languages.

Tilak was introduced to the Gita in his sixteenth year. His father lay dying and Tilak was asked to read from the Marathi translation of the Holy Book. Little then did he understand the deep meaning of the teachings of the Lord. But a longing to understand Krishna's immortal words grew in him. He read and re-read various commentaries and annotations in Sanskrit and English. He was a grown man now, and the vast reading gave rise to many doubts, and none of the learned commentaries satisfied him.

"When I was a boy," says Tilak, "I was often told by my elders that a strictly religious . . . life was incompatible with the hum-drum life of every day. If one was ambitious enough to try to attain moksha, the highest goal a person could attain, then he must divest himself of all earthly desires, and renounce this world. One could not serve two masters, the world and God. I understood this to mean that if one would lead a life

which was the life worth living according to the religion in which I was born, then the sooner the world was given up the better. The question that I formulated for myself to be solved was: does my religion want me to give up this world and renounce it before I attempted to—or in order to be able to—attain the perfection of manhood?

"In my boyhood I was also told that the Bhagawad Gita was universally acknowledged to be a book containing all the principles and philosophy of the Hindu religion, and I thought, if this be so, I should find an answer in this book to my query; and thus began my study of the Bhagwad Gita. I approached the book with a mind prepossessed by no previous ideas about any philosophy and had no theory of my own for which I sought any support in the Gita. A person whose mind is prepossessed by certain ideas reads the book with a prejudiced mind. Many commentaries on the Bhagwad Gita have been written in many languages all over the world, and various commentators have put as many interpretations on the Book. Surely the original writer of the Gita could not have written or composed the book for so many interpretations to be put on it. He must have had but one meaning and one purpose running through the Book."

It was that purpose which Tilak tried to find out in his *Gita Rahasya.* "I believe," he says, "I have succeeded in it, because having no theory of mine for which I sought any support from the Book so universally respected, I had no reason to twist the text to suit my theory." And the conclusion he came to was the following.

"The Gita advocates the performance of action in this world even after the actor has achieved the highest union with the Supreme Deity by Gnana (knowledge) or Bhakti (devotion). This action must be done to keep the world going in the right path of evolution which the Creator has destined the world to follow. In order that the action may not bind the actor it must be done with the aim of helping this purpose, and without any attachment to the coming result. There is Gnana-yoga; there is Bhakti-yoga. But they are both subservient to the Karma-yoga preached in the Gita. If the Gita was preached to despondent Arjun to make him ready for the fight—for the action—how can it be said that the ultimate lesson of the great Book is Bhakti or Gnana alone? In fact there is blending of all these Yogas in the Gita."

He differed from almost all the commentators when he said that the Gita enjoined action even after the perfection in Gnana and Bhakti was attained and the Deity was reached through these mediums. At no stage of human perfection could action be abandoned. Dilating further on the point, Tilak said:

"There is a fundamental unity underlying the Logos (Ishwara), man and world. The world is in existence because the Logos has willed it so. It is His Will that holds it together. Man strives to gain union with God; and when this union is achieved, the Individual Will merges in the Mighty Universal Will. When this is achieved, will the individual say—'I shall do no action, and I shall not help the world'? It does not stand to reason. Shri Krishna says in the Gita that there is nothing in all the three worlds that he need acquire, and still he acts. He acts because if he does not, the world will be ruined. If man seeks unity with the Deity, he must necessarily seek unity with the interests of the world also, and work for it. If he does not, then the unity is not perfect, because there is union between two elements out of the three—Man, Deity and the World."

Tilak's work on the Gita is an original criticism and presentation of ethical truth. In his view, at a time when the country was under the domination of a foreign power, working for Swaraj was the best performance of duty, as propounded by the Karma Yoga, the law of Duty; no religion was a true religion if it did not stand this interpretation. "Compliance with this universal law of Duty," Tilak observed in his speeches on the Gita, "leads to the realization of the most cherished ideals of man. Swaraj is the national consequence of a diligent performance of duty. The Karma Yogin strives for Swaraj, and the Gnanin or spiritualist yearns for it. What then is this Swaraj? It is a life centred in Self and dependent upon Self. There is Swaraj in this world as well as in the world hereafter. The rishis who laid down the Law of Duty betook themselves to forests, because the people were already enjoying Swaraj or People's Dominion, which was administered and defended in the first instance by the kshatriya kings."

Meditation divorced from action was a useless thing, and was opposed to the teaching of the Gita. Right meditation translated into action for Swaraj was, to Tilak, the meaning

of Karma Yoga. "No one", he said, "can expect Providence to protect one who sits with folded arms and throws his burden on others. Action alone must be our guiding principle, action disinterested and thought out."

Tilak's interpretation was a challenge to the scholastic commentators who used the Bhagwad Gita in the interests of their own metaphysical and religious views and twisted out of its shape the true message of the Book. It was not Tilak's robust patriotism that predisposed his mind to the activist view. Every page of the Gita reminds us that "action is thy duty, and reward is not thy concern". The Gita's teaching had been misinterpreted, and it was mistaken to be a Book which would bring spiritual salvation. Paradoxically therefore the Book was to be found in the hands of those leading a retired life. Tilak made out that the Gita, which has a supreme place in Indian spiritual life, stood for the do-and-dare spirit. He told his people that the right action, at a time when the country was under foreign domination, was to fight for its freedom. After his return from jail, whenever he spoke on the teachings of the Gita, he stressed this point.

The whole setting of the Gita supports Tilak's view. Arjuna comes to the battlefield to fight the enemy but at the psychological moment shrinks from his duty. Looking at friends and comrades arrayed on both sides, his heart is torn with anguish, his mind is divided by doubt, and he lays down his bow under the impression that it is not proper for him to trample on the ties of kindred and slay those who deserve worship. The message of the Gita enables him to take up his bow and fight. Similarly, Tilak infused new spirit, and asked his countrymen to jump into the field of action and do their duty by the motherland.

As Dr. Radhakrishnan says, Tilak's literary work was not the traditional distraction of an unemployed statesman. "As a rule, the transformation of a professional politician into a man of letters is not successful. But Tilak's natural aptitude has been in the direction of Oriental studies, and so we find in his work, instead of the discursiveness of the amateur, the solid learning and the keen insight of the trained scholar."

While his chief investigations in Oriental scholarship are in the domain of the Vedas and the Bhagwad Gita he also wrote several essays on kindred topics, the chief of them being an article on "A Missing Verse in the Sankhya-Karikas". His

discussion is marked by a very liberal spirit. He does not accept everything established; nor does he slavishly adhere to authorities, Eastern or Western, in the interpretation of ancient texts.

Tilak pointed out in the article (which appeared in the *Sanskrit Research* of October, 1915) that there was a consensus of authority for the view that the Sankhya-Karikas are 70 in number. If we exclude the last three verses which do not belong to the doctrinal part of the text—they give us only the Guruparampara or the line of succession of teacher and pupil—we have only 69 verses in the Indian (Gaudapada's) and the Chinese (Paramartha's) editions. One verse is missing. Tilak tries to trace the lost verse with his acute powers of deduction.

The commentaries in the two editions contain a passage developing a refutation of the four possible causes of the world: Iswara (God), Purusha (Soul), Kala (Time), and Swabhava (Nature). The commentator argues that the first two being *nirguna,* cannot be the cause of the *saguna* world and the last two being vyakta cannot be subtler than the avyakta, prakriti. Obviously this discussion should be based on some text. The 61st Karika contends that Prakrita is the cause of the world and there is nothing more subtle than that (Sukumarathara). The comparative degree suggests that the author of the Karikas had in view other alternative hypotheses. Besides, the commentator introduces the discussion of the four possible causes by the statement, "Tatra sukumaratharam Varnayati." (He describes—the meaning of —subtler). From the contents of this commentary, Tilak works up the verse as follows:

Karanameeswarameke purusham kalam pare swabhavam va
Prajah katham nirgunatho vyaktah kalah swabhavascha.

CHAPTER LII

TILAK vs. CHIROL (I)

AFTER his release from the Mandalay jail, Tilak's attention was drawn to the slanderous attacks made upon him by Sir Valentine Chirol in his book *Indian Unrest,* published by Macmillan & Co., London, in 1910. Chirol condemned Tilak as "the real author of the murder" of Lt. Ayerst and Plague Commissioner Rand in 1897, and of another Civilian, Jackson, in 1910. The contents of the book had already appeared in a series of signed articles in *The Times; Indian Unrest* was only a revised and enlarged reprint of those articles. They were, Tilak said, intended, by design, to assail his reputation as a political leader, and therefore he called upon Sir Valentine Chirol to make suitable amends, which he refused to do, and a long-drawn defamation suit ensued.

On page 48 of *Indian Unrest,* Chirol, describing the conditions in the Bombay Presidency before the murder of Ayerst and Rand said:

"Outrages such as the mutilation of the Queen's statue at Bombay, the attempt to [set] fire [to] the Church Mission Hall, the assaults upon 'Moderate' Hindus who refused to toe the line, became ominously frequent. Worse was to follow when the plague appeared. The measures at first adopted by Government to check the spread of this new visitation doubtless offended in many ways against the custom and prejudices of the people, especially the searching and disinfection of houses, and the forcible removal of plague-patients even when they happened to be Brahmans. What Tilak could do by secret agitation and by a rabid campaign in the Press to raise popular resentment to a white heat he did. The *Kesari* published incitements to violence which were put into the mouth of Shivaji himself. The inevitable consequence ensued. On June 22, 1897, on their way back from an official reception in celebration of Queen Victoria's Diamond Jubilee, Mr. Rand, an Indian Civilian, who was president of the Poona Plague Committee, and Lieutenant Ayerst, of the Commissariat Department, were shot down by Damodar Chapekar, a young Chitpavan Brahman on the Ganeshkhind road. No direct

connection has been established between that crime and Tilak. But, like the murder of Mr. Jackson at Nasik last winter, the murders of Rand and Ayerst—the same young Brahman who had recited the Shlok . . . . at the great Shivaji celebration—declared that it was the doctrines expounded in Tilak's newspapers that had driven him to the deed. The murderer who had merely given effect to the teachings of Tilak was sentenced to death, but Tilak himself, who was prosecuted for a seditious article published a few days before the murder, received only a short term of imprisonment and was released before the completion of his term under certain pledges of good behaviour which he broke as soon as it suited him to break them."

On page 62, referring to the Jackson murder, Chirol wrote: "In reply to the magistrate who asked him why he committed the murder, Kanhere said: 'I read of many instances of oppression in the *Kesari*, the *Rashtramat*, and the *Kal* and other newspapers. I thought that by killing Sahibs (Englishmen) we people can get justice. I never got injustice myself nor did any one I know. I now regret killing Mr. Jackson. I killed a good man causelessly.'

"Can anything be much more eloquent and convincing than the terrible pathos of this confession? The three papers named by Kanhere were Tilak's organs. It was no personal experience or knowledge of his own that had driven Kanhere to his frenzied deed, but the slow persistent poison dropped into his ears by the Tilak Press. Though it was Kanhere's hand that struck down 'a good man causelessly', was not Tilak rather than Kanhere the real author of the murder? It was merely the story of the Poona murder of 1897 over again. Other incidents besides the Nasik tragedy have occurred since Tilak's conviction to show how dangerous was the spirit which his doctrines had aroused. One of the gravest, symptomatically, was the happily unsuccessful attempt to throw a bomb at the Viceroy and Lady Minto whilst they were driving through the streets of Ahmedabad."

Again, on pages 42-43 of the book occurs the following passage:

"With the help of the brothers Natu, who were the recognized leaders of Hindu orthodoxy, he (Tilak) carried his propaganda into the schools and colleges in the teeth of the Moderate party, and, proclaiming that unless they learnt to

employ force the Hindus must expect to be impotent witnesses of the gradual downfall of all their ancient institutions, he proceeded to organize gymnastic societies in which physical training and the use of more or less primitive weapons were taught in order to develop the martial instinct of the rising generation."

This piece, read with another on page 53, induced the belief that Tilak organized these societies for highly improper objectives.

"He (Tilak) must have had a considerable command of funds for the purposes of his propaganda, and though he doubtless had not a few willing and generous supporters, many subscribed from fear of the lash which he knew how to apply through the Press to the tepid and the recalcitrant, just as his gymnastic societies sometimes resolved themselves into juvenile bands of dacoits—to swell the coffers of *Swaraj*."

Another passage on page 43, objected to by Tilak, was:

"He (Tilak) not only convoked popular meetings in which his fiery eloquence denounced the Mohammedans as the sworn foes of Hinduism, but he started an organization known as the 'Anti-Cow-Killing Society,' which was intended and regarded as a direct provocation to the Mohammedans."

On pages 49 and 340, a more damaging attempt was made to injure Tilak's reputation.

"For three or four years the Tai Maharaj case, in which, as executor of one of his friends, Shri Baba Maharaj, a Sirdar of Poona, Tilak was attacked by the widow and indicted on charges of forgery, perjury, and corruption, absorbed a great deal of his time, but, after long and wearisome proceedings, the earlier stages of the case ended in a judgment in his favour which was greeted as another triumph for him, and not unnaturally though, as recent developments have shown, quite prematurely, won him much sympathy, even among those who were politically opposed to him."

On page 340 was maliciously interpreted a judgment of the High Court in the above case.

Tilak and his friends thought that these allegations, wholly unwarranted, should not be left unchallenged, and a notice was served on Chirol through a firm of solicitors, Downer & Johnson, London. The solicitors told Chirol in a dignified language: "Our client, a man who has taken a prominent part in politics, does not object to your book—whatever his private

views concerning the opinions expressed in it—so far as its statements are correct and its comments fair, but, unfortunately, many of the allegations of fact are untrue and therefore will not support the comments upon them; and, moreover, in some instances, the comments are unwarranted by the allegations themselves, and show a deplorable desire to injure the reputation of Mr. Tilak."

Referring to the charge made in the book against Tilak in connection with the murder of Lt. Ayerst and Rand, the notice drew Chirol's attention to the reports of the speech of the Attorney-General for the prosecution and of the summing up of Justice Strachey which showed that there was no foundation for the suggestion or the hint. Chirol was also advised that it was a complete lie to say that the newspapers *Kal* and *Rashtramat* belonged to Tilak, and that, because of his imprisonment, the third also (*Kesari*) had passed entirely from his control for more than a year and a half.

The notice characterised the charges made in connection with the Gymnastic societies and the Anti-Cow-Killing Society as without any foundation.

It was made clear in the notice that Tilak had no wish to put money into his pocket; his desire was only to have his character cleared and to make sure that his reputation would not suffer needlessly from the book, *Indian Unrest.* Chirol was, therefore, asked whether he was prepared (a) to make a suitable apology and withdrawal, in a form approved by the solicitors, in the Indian and Anglo-Indian and British newspapers that the solicitors might select; (b) to take steps indicated by the solicitors to prevent further circulation and sale of the book and any translations of it without corrections and insertion of the apology and withdrawal in a prominent place; and (c) to make a contribution of an agreed amount to "the Indian War Relief Fund".

Chirol was given three weeks to reply, failing which, he was told, proceedings would be started in the English Courts for 'exemplary damages'.

Curiously enough the first thing Chirol did on receipt of the notice was to send a copy to the Bombay Government. And now, forty years after, the veil of secrecy has been lifted from Tilak records in Government offices, and it has become clear that he took the most natural step, because it was at the instance of and with the material supplied by the Bombay

Government that Chirol prepared his articles and published them in *The Times* and later put them before the world in the form of a book. The book was widely circulated in many countries, and in India even a Marathi translation was circulated. This was all done with a purpose. After Tilak's conviction in 1908, a section among the British intelligentsia and politicians had openly expressed its feeling that the Government was unnecessarily harsh upon Tilak. This trend in the British public opinion set the Indian rulers a-thinking and they devised a plan to nip its growth which was bound to discredit the Government. There was greater anxiety in India over the notice than it caused Chirol. A Member of the Viceroy's Executive Council noted on the notice: "I thought at first that it might be very undesirable that it should come out at the trial that *Unrest in India* was written under the aegis of the Bombay Government, unless it was practically certain that the defence would succeed, and I still think that if Tilak should happen to get a substantial verdict this fact is likely to cause additional complications The suit however must necessarily be defended and must be fought out, if for no other reason [than] because the publishers of the book are joined as defendants as well as Sir Valentine Chirol; and as at present advised I do not see how the assistance originally rendered to the latter by the Government can be otherwise than openly avowed. Under these circumstances I think that we are not only bound, but should be well advised, to render Sir Valentine all legitimate assistance in our power in the fervent hope that his defence may be successful."

Besides the official records which Chirol had expressed a desire to examine, he also sought and got the Government's permission to have the abstracts and summaries from the "native Press" and the files of the *Kesari* maintained in the Bombay Secretariat. The former request had, however, to be carefully scrutinised for the reason that it would be difficult to conceal in the Court that Chirol had access to Government files. Both the Indian and the Bombay Governments considered Tilak as a "dangerous" person, and "an out-and-out enemy of the Government, whose speeches and writing had the effect of exciting to violence" and Tilak's triumph against Sir Valentine Chirol, they feared, would not merely be a triumph of one individual over another, in which Government was not concerned, but a triumph over Government "of an

enemy against Government". The Bombay Government was in a dilemma: if Chirol was allowed to have copies of the secret documents copies would have to be supplied to the other side also on application which was considered "undesirable". The senior Members of the Viceroy's Executive Council agreed with this view, but they feared that it was "practically impossible to prevent Sir Valentine Chirol divulging the sources of his information derived from Government records, etc." at the cross-examination. For that they were prepared, and contended that privilege could still be claimed as regards their production in the court.

Chirol, who had in the meantime, arrived in India to prepare his defence with the help of the Indian and Bombay Governments, was informed of the Government decision, which somewhat surprised him. He wrote back to say that he had to considerably modify the line of defence he had originally taken because "the Government hesitated to give" him the assistance to which he had "at first no reason to think any objection would be raised".

While this was going on, and Tilak's solicitors received information that Chirol would fight out the case rather than make amends, a suit was filed in London in October, 1915, in the High Court of Justice against Chirol and the publishers of his book, claiming an injunction restraining the defendants from publishing and selling the book containing the matter objected to. Damages were also claimed, but the amount was not specified.

Now, the Executive Councillors took up the cause of Chirol with greater vigour. One of them wrote: "Sir Valentine Chirol's articles in *The Times*, afterwards published in his book *Indian Unrest*, did the Government of India good service as showing the meaning and trend of the political movements of that time, and the justification that existed for the severe measures that were or were about to be taken to combat these movements. The various Governments were therefore glad to assist Sir Valentine Chirol with information. We have, therefore, to consider not only that we are bound in honour not to leave Sir Valentine Chirol in the lurch, but also that serious political disadvantages might result if Tilak won his action. It is inevitable that the trial will disclose that Sir Valentine Chirol obtained the information on which his book is based from Government sources, and consequently a success-

ful suit by Tilak against Sir Valentine Chirol might quite possibly be the prelude to a further suit against the Government charging them with publication of libellous matter."

A decision as to the attitude of the Government in the case had to be taken soon, and the case was sent to the Legal Adviser for opinion. He frankly said that since access had once been allowed to Chirol to confidential official records for the purpose of preparation of his book, there should be no objection to allow another inspection for the preparation of his defence. While producing before him the records, the Government, he added "relied on the defendants' prudence not to publish matter which would be prejudicial to Government". (This, it may be pointed out in passing, shows beyond doubt that Chirol's book was intended to be one-sided.) The Legal Adviser, however, feared that if the plaintiff became aware that Government had assisted the defendant, the plaintiff might also claim inspection of Government records, which, he emphasised, should on no account be allowed. The Legal Adviser struck another note of caution: "It is not desirable that the defendant should have to disclose the fact that he has had—or has—these confidential documents or copies thereof in his possession". This course apparently was quite damaging to Tilak's case.

Not only the authorities in India, but those in England were equally interested in the case. Somehow the King's Government and even Morley had become associated with the book, and naturally wished Chirol success. Chirol had asked—and Morley had allowed it—that *Indian Unrest* be dedicated to him. And on the recommendation of the Indian and the British Governments, the King had awarded a Knighthood to Chirol in recognition of the valuable service he had rendered to the Empire at a time when it was being severely attacked.

The Secretary of State for India also, therefore, approved of full assistance being given to Chirol "within such limits as the Government of India in their discretion considered proper and safe". The Legal Adviser at the India Office not only concurred with his Indian counterpart, but saw no objection to "copies being taken or even (apparently) supplied" on the understanding that they were for Chirol's information only. A hint was also dropped that the Government of India should bear a part of the expenses, but the question was postponed until after the decision of the case. The Bombay Government

made a practicable proposal by offering the services of a judicial officer of the Indian Civil Service, A. Montgomerie, who was then an assistant judge, for preparing the case of Chirol. Both the Government of India and the Secretary of State agreed to the proposal on the condition that Montgomerie should proceed to England "ostensibly on leave".

While yet in India, Montgomerie, with a judicial mind, examined all the material collected by Government bearing on the case, and formulated his own opinions. He brought to the notice of Government all the pros and cons of the case.

With regard to the allegations connected with the "Anti-Cow-Killing Society", he reached this conclusion: "The words as they stand cannot be literally justified. Tilak had nothing to do with the inception of the anti-cow-killing movement nor is there any evidence to show that either before or after the Hindu-Mohammedan riots of 1893, he took any part in the management of the Anti-Cow-Killing Society or in furthering its aim. . . ."

The defence that Montgomerie suggested on this point was on the following lines. "But the gist of the charge made is not that Tilak adopted a particular method but that he aimed at a particular result. The manifestations of the anti-Mohammedan spirit with which Tilak was really concerned appear in the succeeding paragraphs of the book. These were, in the chronological order, three: the music question; the Ganapati celebrations; and the Shivaji movement."

Then Montgomerie proceeded to say that it would be as well to put counsel for the defence in possession of the leading facts with regard to each.

Dealing with gymnastic societies and murder and robberies associated with them, Montgomerie observed: "The words used (by Chirol) are certainly defamatory and the defendant must be prepared to find the Judge ruling that they will bear the innuendo with the exception probably of the words 'with his approbation' and 'murder'. Dacoity does not necessarily import murder. . . . I can find nothing which shows that the Natu brothers had anything to do with the introduction of political ideas into schools or that they helped Tilak in any such activities. . . . After the most painstaking search I have been unable to obtain any evidence with regard to the connection (direct or indirect) of Tilak with gymnastic societies. . . ."

In the concluding part of his opinion, Montgomerie suggested that "if some latitude is allowed by the court in the admission of evidence, there is a fair prospect of success on the most important parts of the libel. If, however, the court holds defendant to strict proof of the allegations (and this is the more probable course of events) the verdict is likely to be for plaintiff."

Even in the Tai Maharaj case, which had nothing to do with politics and which Chirol made use of to reinforce his attack on Tilak, his (Tilak's) conduct had been fully vindicated by the Privy Council. Chirol had quoted from the judgment of Justice Chandavarkar of the Bombay High Court in which the Judge had made this observation: "We are driven to believe that a considerable number of men of good position have conspired together to give false evidence." Tilak was amongst these men referred to. After his return from the Mandalay jail, Tilak preferred an appeal before the Privy Council against the judgment of Chandavarkar. The Privy Council allowed the appeal saying: "It is *a priori* difficult to understand how these with no object to gain and no interest to serve are supposed to have entered into the conspiracy and committed the perjury which the High Court found. Their Lordships think the conclusion come to by the learned Judges to be entirely unwarranted by the facts."

Montgomerie's revelations shocked the Bombay Government which was the originator of the whole trouble. It wrote to the Government of India and emphasised again that it was impossible to overlook the fact that the chapter of the book which contained the libellous statements was written under official sanction and was based on official documents. Moreover, the letter said, it was believed that the proofs of the book were passed before publication by "one of the highest officials connected with the Government of India in England." The Bombay Government's letter made out a case for full assistance being given to Chirol.

The Chirol case dragged on for several years, and in the mean time Tilak occupied himself with the political work of galvanising the masses for Home Rule and installing his Extremist Party on the throne of the Congress by deposing the Moderates for all times to come. The Chirol story, therefore, will have to be interrupted in order to give a chronological account of the intervening period.

CHAPTER LIII

CITADEL OF MODERATES ATTACKED

During Tilak's absence, the political landscape in India had considerably changed. The Muslim League, which was started in 1906 under official patronage as a counterblast to the Congress, threw away, four years later, the shackles of British tutelage. The new spirit in the League was inaugurated by the president of the 1910 League, Syed Nabiullah, who made an attack on bureaucracy. By 1913 the League had covered enough ground to catch up with the Congress, and declared the "attainment of the system of self-government suitable to India" its goal. Every League session stressed the necessity of Hindu-Muslim unity, and expressed a desire to work in co-operation with the Congress. The Congress too generously stretched out its hand of friendship.

But the Congress itself had suffered a serious setback. As Jawaharlal Nehru observes in his *Autobiography*, "towards the end of 1912, India was, politically, very dull. Tilak was in gaol, the Extremists had been sat upon and were lying low without any effective leadership, Bengal was quiet after the unsettling of the partition of the province, and the Moderates had been effectively 'rallied' to the Minto-Morley scheme of councils."

By changing the constitution, the Moderates had banged shut the door of the Congress against the Extremists. By Article XX of the Congress Constitution, the right of electing delegates was strictly limited to the organisations and public bodies which were under the control of Moderates. No one who was not elected by such bodies directly or at public meetings convened by them could find admission as a delegate. In vain did the Extremists make repeated efforts, consistent with their convictions, to re-enter the Congress.

But after Tilak's reappearance on the scene, the question came to the forefront and even the Moderates felt that it could no longer be shelved. Mrs. Annie Besant, who had recently entered the Congress and had a unique importance in Indian politics, took up the matter with leading Moderates and had prolonged discussions with them. In the first flush of her

negotiations, she brought round Gokhale to her view; but later, on reconsideration, he changed his mind. The compromise favoured by Gokhale was that all associations which accepted the creed of the Congress, whether they were affiliated or not, should have the right of election, either at their own meetings or at public meetings held under their auspices. But there was a misunderstanding. He was influenced by the thought that the Extremists were "beginning to see things from a new angle of vision and that a genuine rapprochement was possible." In his letter[1] (December 14, 1914) to the President-elect of that year's Congress, Bhupendranath Basu, Gokhale said:

"Mr. Tilak has told Mr. Subba Rao frankly and in unequivocal terms that though he accepts the position laid down in what is known as the Congress creed, viz., that the aim of the Congress is the attainment by India of self-government within the Empire by constitutional means, he does not believe in the present methods of the Congress, which rest on association with Government where possible, and opposition to it where necessary. In place of these he wants to substitute the method of opposition to Government pure and simple within constitutional limits—in other words a policy of Irish obstruction. We on our side are agitating for a larger and larger share in the Government of the country—in the Legislative Councils, on the municipal and local boards, in public services and so forth. Mr. Tilak wants to address only one demand to the Government here and to the British public in England, viz., for the concession of self-government to India, and till that is conceded, he would urge his countrymen to have nothing to do with either the public services or Legislative Councils and local and municipal bodies. And by organising obstruction to government in every possible direction within the limits of the laws of the land, he hopes to be able to bring the administration to a standstill and compel the authorities to capitulate. This is briefly his programme, and he says that he wants to work for its realization through the Congress if he and his followers are enabled to rejoin it, or failing this, by starting a new organization to be called the National League."

This frank statement of his policy Tilak supplemented by explaining that his purpose in seeking re-admission into the Congress fold was to strive for effecting such changes in the rules as would throw open the election of delegates to every-

body, as before 1907, and then for getting the Congress to endorse his programme by securing at its sessions the attendance of a majority of delegates of progressive views.

All this while Pherozeshah Mehta, Bombay's leading Moderate, kept himself aloof and disapproved of Gokhale's talks with Extremist leaders. More than ever, he felt convinced of the undesirability of union with a party whose policy he condemned and whose methods he distrusted.

After Tilak had unreservedly given expression to his views, the Moderate opinion grew stiffer, and no serious attempt was made at the 1914 Congress to amend the constitution to enable the Extremists' entry. And when against all odds Mrs. Besant persisted in putting forward her proposals for the amendment of the constitution, the Congress put them off by referring them to a committee. Pherozeshah Mehta had firmly put his foot down against the Extremists, and decided, as his biographer, H. P. Mody, says, on having the next Congress in Bombay, where his will would prevail. Mody further says, "He was anxious to put an end once for all to the manoeuvres which had been going on for some years to effect a compromise which he regarded as mischievous, and he was confident that his personality and his immense influence in Bombay would carry everything before him. Therefore, he selected Sir Satyendra Sinha (later Lord Sinha of Raipur) a former member of the Viceroy's Executive Council, for presidentship of the 1915 Congress. But fate conspired against Mehta, and he died a few weeks before the Congress came off. Fate conspired against the Moderate Party as, during the year, its other towering leader, Gokhale, also passed away. The Congress was virtually left leaderless. Advancing years had made Dinshaw Wacha and Chandavarkar inactive; and as Dr. Pattabhi Sitaramayya observes in his *History of the Congress*, Surendranath Bannerjea "was not quite in tune with the new thought. Madan Mohan Malaviya was not in a position to lead the Congress on the moderate lines nor had he the grit to force his way forward."

As had been planned by Mehta, the 1915 Congress met in Bombay and under the presidentship of Sinha, but without Mehta who really had the power to dictate decisions. Sinha's speech came as a shock to progressive elements in the political life of the country. He said: "Even if the English nation were willing to make us an immediate free gift of full self-

government, I take leave to doubt whether the boon would be worth having as such, for it is a commonplace of politics that nations like individuals must grow into freedom, and nothing is so baneful in political institutions as prematurity; nor must we forget that India free can never be ancient India restored."

But at the Bombay Congress, the Extremists' right to re-enter Congress was admitted, and the Congress constitution was suitably amended. Tilak was again not present at the session. The amended Article said that the delegates would in future be elected by "a meeting convened under the auspices of any association which is of not less than two years' standing on December 31, 1915, and which has for one of its objects the attainment of self-government within the British Empire by constitutional means." The number of delegates for each constituency was, however, fixed at fifteen.

Even without the Extremists, enough of heat was generated in the Bombay Congress at Mrs. Besant's Home Rule proposals. By her speeches and writings in 1915, she toned up the politics, and gave rude shocks to men of Sinha's way of thinking. In September, she made a speech in Bombay pleading India's case for Home Rule or self-Government.

Ten days later in her paper, *New India* (September 25, 1915), she made a formal announcement about the Home Rule League. "After conversation in India and correspondence with England, which have been going on for many months, and the beginning of which goes back to discussions held last year with some English politicians and sympathisers with India, it has been decided to start a Home Rule League, with 'Home Rule for India' as its only object, as an auxillary to the National Congress here and its British committee in England, the special function of the committee being to educate the English democracy in relation to India and to take up the work which Charles Bradlaugh began and which was prematurely struck out of his hands by death."

This new move was, to the authorities, a storm in the serene atmosphere of India to which the prospect of Extremists' re-entry into Congress added velocity. The Madras Government was the first to get panicky, and recommended to the Government of India that in order "to put an end to Mrs. Besant's mischievous writings and public utterances", she should "be forced to leave India," adding, "She will no doubt continue

her campaign in the English and American press, but we shall be spared her ravings on the Indian platform and her writings will lose a good deal of their danger on account of the distance between herself and her audience."

The Home Member of the Government of India, while agreeing on the 'mischievous' character of her writings and speeches, did not agree with the recommendation. "Mrs. Besant's Home Rule League is foolish and wild", he wrote back, "and I doubt whether even the National Congress will adopt it. All the calumnious attacks on the British Government which formed the stock in trade of the extremist orators in 1907 to 1910, are fetched out again and displayed before immature students. I am not in favour of packing off the lady to Europe, but I think that she might now be warned in formal fashion."

With all the force of her personality, she took the new proposal to the Congress. There was a stormy meeting of the Bombay delegates to elect members of the subjects committee. It had been the desire of the Bombay Moderates to elect members who would vote solidly against Mrs. Besant's Home Rule League, but during the course of the proceedings, which were characterized by much confusion and disorder, 8 Home Rule supporters had to be nominated. At that meeting of the subjects committee, Mrs. Besant's resolution on Home Rule and two schemes—one from Poona drafted by Prof. H. G. Limaye and the other by the president himself came up for consideration. Mrs. Besant's resolution was ruled out of order by the President on the ground that it contravened Article 1 of the Congress constitution which restricted the scope of the demand for self-government by the words "by bringing about a steady reform of the existing system of administration". In the end it was resolved to prepare a draft scheme which should be handed over to the All-India Congress Committee in order that they might consult other bodies. Mrs. Besant was opposed to sending it to the A.-I.C.C., but desired that it should be sent to some special committee, but she was again overruled by a majority of 107 to 68.

She then convened a meeting on December 27, 1915, to consider her Home Rule League. President Sinha was prevailed upon by the Bombay Moderates not to attend. Karandikar of Satara attended with the object of watching the proceedings on behalf of the Extremists, as he was a

member of the committee which finalised the draft scheme prepared by Limaye. Mrs. Besant's proposed League was opposed by Chandavarkar, Wacha and other Bombay Moderates in general and also by Sir Ibrahim Rahimtullah. There was, however, strong support from other Mohammedans, prominent among whom was Jinnah. Surendranath Bannerjea and Malaviya opposed it tentatively on sentimental grounds fearing that it might injure the interest and prestige of the Congress. Ultimately it was decided to postpone consideration till after the Congress had pronounced upon it.

The next day (December 29), the Congress adopted a resolution which was to some extent Mrs. Besant's proposal, though not going so far as she desired. This had the effect of withdrawing some support which should have been hers, as many people thought that it would be unnecessary and perhaps even harmful to the Congress to have another such organization as the Home Rule League.' But Mrs. Besant imagined that she would still have the majority in her favour, and promised that she would abide by the decision of the majority. She convened another meeting at which there was again considerable discussion of her scheme of Home Rule League. But when it came to taking votes, it was claimed that the votes of the large number of signatories who joined the conveners should not be taken and that the voting should be restricted to the members of the A-I.C.C. and All-India Muslim League. In the former, the Moderate Congressmen being powerful and there being also a division of opinion in the latter, Mrs. Besant's proposal was defeated by a good majority.

But among the supporters, there were some, notably the younger men, who thought that the scheme should not be given up in spite of the cold water thrown over it at the meeting. They thought that in spite of an adverse vote, they should proceed to organise a Home Rule organisation for the province of Bombay and encourage other provinces also to start independent organizations with the same object, even though Mrs. Besant might keep out. (Many prominent supporters were annoyed at Mrs. Besant's rashly promising to abide by the decision of the majority.)

Thus, the most remarkable thing about the Congress of 1915, was the commencement of the ascendancy of the politicians of the extremist school and the decline of the influence of the men of the moderate school. The citadel of moderation in

Congress politics was successfully attacked. The adoption of what was described as the "most radical" resolution on the question of self-government, was interpreted as having converted the Congress into an extremist league.

All this happened when Tilak and his extremist associates were not present at the Congress. The ground was prepared for eventual disappearance of the Moderates from the Congress and its capture by the Extremists.

CHAPTER LIV

SHADOWS OF COMING EVENTS

At the Bombay Congress, the proposed Home Rule League of Mrs. Besant was scuttled. This deeply disappointed the Poona Extremists, and they met in a conference under the leadership of Tilak, and appointed a committee of fifteen to consider the proposal to found an Indian Home Rule League. Prolonged discussions took place and on April 2, 1916, an announcement to that effect appeared in the *Mahratta*:

"A Conference of the Nationalists of Bombay, Central Provinces and Berar was held at Poona on the 23rd and 24th of December, 1915, and it was resolved that a committee of some fifteen gentlemen be appointed to determine whether it was desirable to establish a League to obtain Home Rule for India and what steps should be taken with this object in view. The committee have reported in favour of a pioneer organisation for Bombay, the Central Provinces and Berar, and that the formation of an All-India League should be postponed till arrangements could be made to establish affiliated provincial organisations in all or nearly all the provinces of India.

This announcement was followed by another meeting of the committee on April 28 at which the following resolutions were passed: (1) that a League be established called the Indian Home Rule League; (2) that the object of the League be to attain Home Rule or Self-Government within the British Empire by all constitutional means and to educate and organise public opinion in the country towards the attainment of the same.

Joseph Baptista, a Barrister-at-Law, was selected President, and N. C. Kelkar, Secretary. Among the members of the committee were G. S. Khaparde, Dr. B. S. Moonje, R. P. Karandikar, Dr. Sathaye, Dr. Vaze, Belvi, etc. Tilak did not accept any office.

The committee suggested that the League should first of all aim at obtaining 10,000 members, and when these had been secured, it would have a Home Rule Bill drafted by expert lawyers and entrusted to a Member of Parliament who would move it in the House of Commons.

In a leading article in the *Mahratta*, Tilak, explaining the reason why it became necessary to bring into existence the League, said:

"It was generally recognised that the time had positively come for an organisation to be started for educating public opinion and agitating for Home Rule throughout the country. The Congress was the body which would naturally possess the greatest authority for undertaking such a work with responsibility. The scheme of self-government, which the Congress is supposed to be intending to hatch, served as a plausible excuse for most of the Moderates to negative a definite proposal to establish a Home Rule League. But the Congress, it is generally recognised, is too unwieldy to be easily moved to prepare a scheme for self-government and actively work for its practical success. The spade work has got to be done by someone. It can afford to wait no longer. The League may be regarded as a pioneer movement, and is not intended in any sense to be an exclusive movement."

A day after the meeting of the Home Rule League committee began the annual session of the Bombay Provincial Conference at the same place—Belgaum. The Conference represented the extremist element in the Bombay Presidency which had held aloof from the Congress since the split at Surat in 1907. The most important question before it was whether it would agree to the terms of compromise contained in the resolution adopted by the All-India Congress Committee at Bombay in December of the previous year and thus enable Extremists once more to enter the Congress. Khaparde was the president of the Conference, and a greater part of his presidential speech dealt with this subject. (The leading Moderate newspapers of Bombay later expressed strong resentment at Khaparde's depreciation of the Moderates and glorification of the Nationalists.)

Tilak was for acceptance of the compromise terms offered by the All-India Congress Committee, and moved a resolution accepting them. Briefly the terms were that nationalist societies which accepted Article 1 of the Congress creed ("the attainment by constitutional means of self-government within the Empire") were to be allowed to send fifteen delegates each to the Congress. Tilak, in his speech, admitted that the restriction of the number of delegates was unsatisfactory, nevertheless he urged the meeting to accept the compromise

for the time being. With supreme self-confidence he said: "If we are there in future, I have not the slightest doubt that this limitation will be removed. Will you wait outside until it is removed or will you go in and get it removed?" He carried the whole house with him; there was not one dissenting voice, and the resolution was passed unanimously. A conspicuous sight at the meeting was the presence of Gandhi, who, speaking in Hindi, warned the Extremists that if they passed the resolution in the hope that after joining the Congress they would drive away the opponents, neither they nor the Congress would gain anything. He himself was neither a moderate nor an extremist, he said.

Other important resolutions passed by the Conference were: (1) A prayer for the success of the Allied Arms to which were subjoined a request to Government to permit Indians to bear arms, enlist as volunteers and hold commissions in the army, and a petition for the release of political prisoners; (2) a request that Government should adopt a scheme for granting Home Rule to India within a definite period; (3) a condemnation of the reactionary policy of Government in educational matters.

The political atmosphere in the country was favourable for the spread of the Home Rule movement. Madras was formerly on the side of the Moderates, but since Mrs. Besant began to take an active part in Congress politics, the Moderates had been steadily losing their influence. Even those who were Moderates by conviction were compelled against their personal inclinations to participate in propagandist work which was under extremist control.

In Bombay, the Moderates were still predominant, but they had been disorganised by the death of Sir Pherozeshah Mehta. Many of the younger Congressmen were in open revolt against their elders and they were encouraged in their attitude by the Deccan extremists. Government was somewhat perturbed, and feared that unless the Moderates produced a leader of dominating personality, it was probable that the weight of influence would before long pass to the Extremists. But Bombay had one advantage: almost the entire Indian press was under the control of the Moderates.

In Bengal extremist influence was very strong and there was very little distinction between the Moderate and the Extremist. An impression had gone round that the task of

extorting concessions from Government was greatly facilitated by the activities of the revolutionary party. A leading Congressman summed up the situation thus: "The boys throw bombs and we get made members of the Legislative Council."

In Bihar and Orissa, the extremist influence was predominant. The Central Provinces were of course a stronghold of Tilak and extremism. The few Moderates left in these provinces had no hold on the younger generation of politicians.

In the United Provinces, the sympathies of those who controlled the local branch of the Congress were extremist. There was a large body of influential opinion which was politically neutral, but the Extremists were working very hard to win it over to their side. The local press was predominantly nationalist, but did not wield much influence. It was believed that the year's Congress, which was to be held at Lucknow, would give a strong impetus to extremist propaganda in the United Provinces.

In the Punjab, the Congress had little following and the Provincial branch was moribund. Nevertheless extremist opinions were widely held, but there was no organisation to bring those holding such views together. Nationalism was making great progress among young men and students, among whom much political work was carried on by religious and educational societies. The influence of the press was mainly exerted on the side of the extremists, and as an officer of the Intelligence Staff reported to the Government of India, "it was probable that Tilak had more followers in the Punjab than in any other province."

This officer further said: "As regards Tilak's future policy, the general opinion is that it will not be long before he gains a position of preponderating control in the Congress. He will probably make a show of moderation at first, but as soon as he feels himself secure he will come forward as the leader of all that is impetuous, impatient and anti-Government in the ranks of the Congress."

The Government apprehended that if the Extremists succeeded in gaining control of the Congress, it would probably not be long before they produced an agitation "which is bound to be accompanied, as in the past era of extremist agitation, by criminal excesses on the part of the youths and their champions." It was also reported to the Government that "for the present the plans of the Extremists do not seem to include

the use of unlawful weapons, but there is no security against their adoption when once Tilak and his hot-headed friends have established their influence within the Congress."

Tilak's Home Rule movement had yet to take shape, but the C.I.D. sleuths shadowed him and his principal lieutenants and often interviewed them. There was no secrecy about the movements, and those wanting information on behalf of the Government were frankly told what the future programme was.

A prominent member of Tilak's party spoke prophetic words when, expressing his opinion about the future of the Home Rule movement, he said: "We do not expect to succeed at once but the Home Rule movement will be very popular with the masses. It will swamp any movement that the Moderates can initiate and will restore to our party the prestige which we have lost during the past seven or eight years. We do not expect the sympathy of Government or of the Moderate Party and we anticipate a good deal of opposition. But we are convinced that our cause is based on constitutional principles and we will carry on the work fearlessly. We extremists hope to convert the Congress into an instrument of our policy. Our control of the Home Rule League will be a great asset and the Home Rule agitation which we will lead will justify our existence and give prominence to our Party."

This confidence was infused by Tilak in the rank and file of the Home Rule League at Belgaum, and the sequence of events, narrated in the following chapters, show how precisely the future developments were summed up in the above statement.

CHAPTER LV

SECURITY FOR GOOD BEHAVIOUR

About the middle of 1916, Tilak undertook an extensive lecture tour for instructing the masses on Home Rule and exhorting them to become members of the Home Rule League. He started the series on the first day of May, and the first place he visited was Belgaum. The League had recently come into existence, but was to be inaugurated at Belgaum on that day. The next big venue of his lectures was Ahmedabad where he spoke twice on May 31 and June 1. Speeches like those had not been heard before, and they alarmed the Bombay Government, which, in the midst of war, was over-cautious, and had considerable misgivings about Tilak. Now their anxiety was not so much the speeches that had been delivered, but those of the same tenor that were to be delivered throughout the presidency as part of Tilak's Home Rule propaganda.

The Government, therefore, proceeded to prevent repetition of the Belgaum and Ahmednagar speeches in other places. Legal opinion was invited whether Tilak could be restrained. On receipt of this opinion, the Governor of Bombay considered the desirability of prosecuting Tilak under Section 124-A of the Indian Penal Code either at Ahmednagar or Belgaum. There were objections to either course. In the opinion of the Government advisers, "the worst of the speeches" was that delivered at Belgaum. But Belgaum presented a difficulty. At this place cases of this class had recently been withdrawn from the cognizance of juries, and the institution of proceedings there, the Government feared, might form ground for criticism. On the other hand if the case were tried at Ahmednagar, it was considered doubtful how far the Belgaum speech would be admitted as evidence. As both alternatives seemed undesirable, the possibility of placing the case before the High Court was discussed. The opinions of the Remembrancer of Legal Affairs and the Advocate-General were taken. The Remembrancer said: "It is clear, if the speeches are read fairly as a whole, that the speaker's real object is to vilify and ridicule the Government and to excite unrest and discontent. The speeches are therefore seditious, whatever the kind

of 'Home Rule' he advocated, and whatever the means he proposes to employ to obtain it." The Advocate-General was almost of the same opinion. But although both the law officers had advised that there was a reasonable chance of success, it was considered preferable to take proceedings under section 108 of the Criminal Procedure Code. The grounds for this course were that the procedure would be simpler; the case could be heard in Poona; no difficulties would arise with regard to a jury and all the three speeches could be put in as evidence.

Eventually the district magistrate of Poona served on July 22, 1916, an order on Tilak telling him that he disseminated seditious matter, and asking him "to show cause why he should not be ordered to execute a bond for a sum of Rs. 20,000, with two sureties each in a sum of Rs. 10,000 for his good behaviour for a period of one year". Another order of the same date required him "to attend in person at the office of the district magistrate, Poona on July 28, at 12 noon."

When the hearing of the case began before the district magistrate, the public prosecutor said that Tilak had previous convictions for sedition and was again orally disseminating seditious matter. The prosecution filed a certificate regarding Tilak's previous convictions. This was objected to by Tilak's Counsel, M. A. Jinnah, but the objection was overruled by the magistrate. Tilak, in reply to the court, admitted that the C. I. D. reports of speeches, were "on the whole and generally speaking correct, although there were omissions and imperfections". The object of his speeches, he said, was to defend and explain Home Rule and to point out the best way of obtaining it; to exhort people to become members of the Home Rule League.

Jinnah, in his powerful advocacy, defended the speeches by suggesting that they were at worst a criticism of the administration and did not amount to sedition. But the magistrate disagreed, and in his judgment observed: "Looking at these speeches as a whole, fairly, freely and without giving undue weight to isolated passages, what impression do they convey to us, and what impression must we believe they convey to the audience to which they were addressed? The impression I gather from them is that Tilak wishes to disaffect his audience towards the Government in order that they may wake up to their present unhappy condition, join his Home Rule League

and help him in his agitation for a change in the administration of the country."

The magistrate, therefore, directed Tilak to enter into bonds as directed in his first order dated July 22, 1916.

But when the case was taken to the High Court in appeal, (Jinnah again appeared for Tilak), two Judges of that Court, S. L. Batchelor and Lallubhai Shah in their separate but concurring judgments completely vindicated Tilak and cancelled the magisterial order.

After getting a clear certificate from the High Court Tilak told the workers of the League that since Home Rule, as an ideal, had been vindicated as legal and loyal, it must be proved by arguments that the demand was justified. The defects of the administration should be brought to light and the people told to work for Home Rule if they wanted their miseries to end.

But the provincial Governments had several other weapons in their armouries which they duly invoked to gag Tilak.

CHAPTER LVI

THE TWO HOME RULE LEAGUES (1916)

TILAK'S Home Rule League elicited favourable reactions and attracted notice in England. A Home Rule for India League was established at 18, Tavistock Square, London, on June 7, 1916. It was agreed at the first meeting that the League should form an independent party willing to work with any party, but not definitely attached to any party. It was also agreed to form branches or centres with a small subscription of 6d. per head. The executive consisted of C. Jinarajadasa, Muriel (Countess de la Warr), the Lady Emily Lutyens, George Sydney Arundale, (Miss) Esther Bright, John Scurr and George Lansbury. Major D. Graham Pole was appointed general secretary. It was decided to print 10,000 copies of a leaflet entitled "What India Wants". This was followed by several leaflets. Meetings were regularly held, and Home Rule propaganda was carried on.

The Times (June 19) made an embittered attack on the organization. But Hyndman's *Justice* (June 22) welcomed it. The paper wrote: "We do not know who are members of the League, nor have we seen the leaflets. But so soon as peace is proclaimed, after the final defeat of the Germanic Powers, we shall be glad to co-operate in a movement for the emancipation of India. We do not see how Englishmen, who proclaim that they are fighting for national freedom in Europe, can honestly continue a system of foreign despotism over 315,000,000 people in Hindustan."

The paper challenged the ex-Viceroy's, Lord Hardinge's, speech made just about that time, in which he claimed "marvellous beneficial results from our rule" to India, and added: "It is simply not true. Moreover, so insecure is our tenure of this vast empire that Lord Lansdowne and Sir Edward Grey have entered into treaties with Japan to hold India for us in case of need. In return Japan has been given a 'free hand' in China. We may bear in mind, too, that Indian troops, on the strength of those Japanese treaties, have been fighting on our side in Europe as well as in Asia. Home Rule in India

will greatly benefit both India and England."

Five or six weeks after the birth of the Home Rule League, Tilak, with the assistance of Baptista, started work on a draft of a 'Bill for the Better Administration of India'. His intention was to send the Bill, after it had been agreed upon by the people in different provinces, to England, for being rendered into legal language by an English Barrister, and put before Parliament.

He made no secret of his plans. He told the district magistrate, Poona, who called him to explain the implications of a speech he made at 'Nagar early in June, that criticism of the Government was bound to be an important part of his speeches. Asked what his conception of Swaraj was, Tilak said that a Swaraj administration's first act would be to order compulsory free primary education, and its second would be to abolish all liquor shops. Therefore, he told people at 'Nagar that they would be better off under their own administration. He made it clear that it was not his intention to produce a discontent that might result in trouble. But when the district magistrate made a report of his interview with Tilak to the Commissioner saying that he believed "Tilak to be in earnest in his disavowal of any intention to embarrass the Government," the Commissioner remarked that he did not "trust Tilak's protestations and that his present activities are most undesirable."

While the Home Rule agitation had been going on, a movement was set afoot by Tilak's admirers to present him with a purse of a lakh of rupees on the occasion of his sixtieth birthday on July 23, 1916. Collections were started, Bombay alone raising Rs. 50,000 in about a week. Money came flowing from many parts of the country, and in a short time the purse was full. On the birthday, a public meeting attended by 8,000 persons, of all shades of opinion, was held. A large number of addresses and congratulatory messages were read at the meeting, where on a raised platform sat Tilak, heavily garlanded, amidst his friends and admirers. "Memories of storm and suffering," he said in a short speech, "rather than those of happiness rise before my mind's eye. Looking into the future, after completing sixty years, one's mind cannot but be filled with misgivings; and with declining strength, one is apt to feel less hopeful. But I devoutly hope that with your support, I may be granted life and strength to add to

whatever work of public good I may have done."

About the purse, he said: "I do not know what to do with the money. I do not want it for my own use nor would it be proper for me to accept it for my family. I can only accept it in trust to spend it in a constitutional way for national work after adding my own quota to it."

Tilak's birthday celebrations gave impetus to the Home Rule agitation. With the fervour of a young man, he himself made hurricane tours, delivered speeches, and week after week wrote exhortative articles in his papers. Here is an extract from his articles:

"Even when war is going on in all its fierceness at a distance of a hundred miles, Home Rule for Ireland is being discussed in England. How are we to characterise the pretence of the officials that they are quite upset with the philosophical discussion of Home Rule which only breaks the death-like silence of India? We think that Home Rule should be demanded all at once. It need not come into force immediately. A time-limit may be laid down in a Parliament Bill accepting it. Do not ask for crumbs; ask for the whole bread. If there is any method to effect political reforms without riots and without the spread of discontent, it is this. All are demanding Swarajya."

The only other person who matched and sometimes excelled Tilak in carrying on Home Rule propaganda was Mrs. Besant. Her promise at the Bombay Congress came in her way of being first with her League, but, as if to make good the loss, she greatly intensified her campaign against the bureaucracy and for Home Rule. Many eminent leaders of the Congress came forward to join her, among them being Motilal Nehru, Tej Bahadur Sapru, Ishwar Saran. They virtually came under her spell and decided to set her up for the Congress Presidentship of 1916 against A. C. Mazumdar. Lucknow was the venue of the Congress, and they believed they would be able to undo the nomination of Mazumdar. At a meeting of the reception committee, it was informally mentioned that the Raja of Mahmudabad would contribute one lakh of rupees towards the expenses of an Indian deputation to England in connection with the Home Rule movement, if Mrs. Besant was elected President. Their efforts, however, failed, and Mazumdar presided at the Lucknow Congress.

Now, Mrs. Besant thought that the time was ripe for her

to start her own Home Rule League. The promised report of the All-India Congress Committee on self-government not having been submitetd by September 1, the date on which it was due, Mrs. Besant, in response to many urgent requests, decided to organize the League on a regular basis. Within a few days of her announcement, branches were formed at Bombay, Kanpur, Allahabad, Banaras, Madanpalli, Kumbakonam, Adyar, Madurai, Ahmednagar, Calicut, and Madras.

Now there were two Leagues in the field, and Mrs. Besant and Tilak came to an agreement about the sphere of action of the respective organizations. Tilak's League was to work in the Central Provinces and Bombay Presidency; Bombay city and the rest of India fell under Mrs. Besant's jurisdiction.

N. C. Kelkar, secretary of Tilak's League, proceeded to make arrangements to educate villagers on the objects of Home Rule agitation. Lecturers were appointed; they were given talking points and were asked to stick to a uniform pattern of propaganda. Only those who held a pass signed by the secretary could speak in the name of the League. The lecturers kept themselves within the limits of the law, the object being to use the law to spread the message of the League.

Tilak himself went on a tour of the Karnatak in November. On the 20th, at Gadag, at an entertainment given him by the local people, he was served with an order prohibiting him from delivering a public speech in Gadag. He was also told to finish with the entertainment within five minutes. On his return journey to Poona, he halted for a day at Hubli. Here he was conducted in a procession from the railway station to the house where he was to stay. A large crowd gathered to hear him; no restriction was placed on him here, and he spoke to eager admirers thus: "We do not want to trespass on the rights of any nation, we do not want supremacy over any people, we are only asking for what is our birthright." The occasion was utilised to establish a branch of the League at Hubli. He broke journey at several other places, making speeches and opening new branches.

In July, he became a member of the Poona Congress Committee, after a break of nine years, in order to qualify himself to become a delegate for the year's Congress. But he had already outpaced the Congress; the Home Rule League was now more popular.

CHAPTER LVII

UNITED CONGRESS

AFTER a spell of nine years, the Extremists, under the leadership of Tilak, returned to the Congress in 1916, at the Lucknow session. They were yet in a minority, but unlike in 1907, it was an effective minority, and already the Congress was showing positive signs of being converted to their programme. Even during the period of their absence from the stage, they continued to have an invisible hold on people, and it manifested itself when they decided to re-enter politics actively. In 1914, after the negotiations with Congress leaders broke down, Tilak convened a meeting of the Bombay Provincial Conference. The call was responded to only by Extremists of whom a thousand attended the conference. Two months later, the Moderates called a similar gathering, but the poor attendance confirmed that, as before Tilak's incarceration, Extremists still had a far greater hold on the Presidency. And in 1916, when they re-appeared in the Congress *pandal*, they largely outnumbered the Moderates. An interesting anecdote has made the fact of their majority memorable. Delegates, province-wise, were electing members for the subjects committee. Gandhi too was one of the delegates from Bombay, and when someone proposed him for membership of the committee, an Extremist proposed the name of a colleague. Gandhi was defeated. Tilak at once stood up and said that Gandhi had been elected. It was the Master's wish, and up went so many Extremist voices, "Yes, Gandhi is elected."

The Lucknow Congress is a landmark in the political history of India. A new chapter was written. The separation of Muslims from the political agitation of the Congress, brought about by Principal Beck, was completely undone in 1916. Both the Congress and the Muslim League held their annual sessions simultaneously at Lucknow, and produced an agreed scheme of reforms. The President of the Congress, Ambika Charan Mazumdar, proudly declared in his presidential address: "The Hindu-Muslim question has been settled, and both the communities have agreed to make a united demand for self-government."

The main proposals of the scheme of reforms that were evolved by joint deliberations are known as the Lucknow Pact. The scheme may be divided into two parts: The first dealt with the Muslim question, and the other with constitutional reforms. Seats were proposed to be reserved for Muslims in the provincial legislatures in the following proportions: the Punjab—one-half of the elected Indian members; the United Provinces—30 per cent of the elected Indian members; Bengal—40 per cent of the elected Indian members; Bihar—25 per cent of the elected Indian members; Central Provinces—15 per cent of the elected Indian members; Madras —15 per cent of the elected Indian members; and Bombay—one-third of the elected Indian members. The proposal provided for their election by separate electorate.

The second part of the scheme proposed that in the reconstruction of the Empire, India should be raised from the status of a dependency to that of an equal partner in the Empire as a self-governing dominion; the provincial legislative councils should consist of four-fifths of elected and one-fifth of nominated members, elections being held on as broad a franchise as possible. The provincial Governor and members of his executive council should not ordinarily belong to the Indian Civil Service. The provinces should be perfectly autonomous. All the local bodies should have elected chairmen of their own. The strength of the Imperial Legislative Council should be 150, of which four-fifths should be elected, one-third of the elected members to be Muslims elected by separate Muslim electorate. The Council of the Secretary of State for India should be abolished. The franchise for the Imperial Legislative Council should be widened. India should have a national militia to which all the races should be eligible.

In recommending the scheme to the British Government, the Congress resolution said that "His Majesty, the King Emperor, should be pleased to issue a proclamation announcing that it is the aim and intention of the British policy to confer self-government on India at an early date."

Tilak generally agreed with the scheme, but differed on one point. He emphasised that it was necessary that the succeeding instalments of self-government should be definitely determined and announced together with the time-limit for complete realization of "all our aspirations." He tried his best to press the inclusion of this limit in the resolution, but the Moderate

leaders, conscious of their majority, did not agree.

In the interest of unity Tilak dropped the proposal, and gave his unreserved support to the scheme. The Moderate leaders seemed equally anxious to work with the Extremists and to preserve unity in the Congress. Congress President Mazumdar, in his address, voiced their sentiments at some length. He said: "Gentlemen, even the darkest cloud is said to have its silver lining, and in this vale of sorrow, there is hardly any misfortune which has not both a positive and a negative side. If the united Congress was buried in the debris of the old French Garden at Surat, it is re-born today in the Kaisar Bagh of Lucknow, the garden of the gorgeous king Wajid Ali Shah. After nearly ten years of painful separation and wanderings through the wilderness of misunderstandings and the mazes of unpleasant controversies, each widening the breach and lengthening the chain of separation, both the wings of the Indian Nationalist party have come to realize the fact that united they stand and divided they fall. Brothers have at last met brothers and embraced each other with the gush and ardour peculiar to a reconciliation after a long separation. Blessed are the peace-makers."

Then, fixing his eyes upon Tilak, he said: "Most cordially, I welcome Mr. Bal Gangadhar Tilak, Mr. Motilal Ghose and other brave comrades, who separated from us at Surat and have been happily restored to us at Lucknow. I rejoice to find that they are after all 'of us' and 'with us'—and let us hope—never, never to part again."

As usual, the Congress adopted a number of resolutions, but Tilak was interested only in one resolution, and that was on self-government, and he spoke only once. He believed that the various demands which the Congress had been putting forward from year to year had become out of date in view of the demand for early establishment of self-government.

There were prolonged applause and cheers when he rose to support the resolution on self-government. He said: "The resolution which I wish to support . . . is the resolution of self-government. It is that for which we have been fighting, for which the Congress has been fighting for the last thirty years. The first note of it was heard ten years ago on the banks of the Hooghly, and it was sounded by the Grand Old Man of India, that Parsee patriot of Bombay, Dadabhai Naoroji. Since the note was sounded differences of opinion

arose. Some said that the note ought to be carried on and ought to be followed by a detailed scheme at once, that it should be taken up and made to resound all over India as soon as possible. There was another party amongst us that said that it could not be done so soon, and the tune of that note required to be a little lowered, and that was the cause of dissension ten years ago, and I am glad to say that I have lived these ten years to see that we are re-united in this Congress and we are going to put our voices and shoulders together to push on this scheme of self-government; and not only have we lived to see these differences closed, but to see the differences of Hindus and Mohammedans closed as well. So we have now united in every way in the United Provinces, and we have found that luck in Lucknow." There was an uproar of laughter.

Then he spoke on the resolution; he was the greatest leader of India, and uttered words which added to his greatness: "There are only one or two points on which I wish to address you. It has been said by some that we Hindus have yielded too much to our Mohammedan brethren. I am sure I represent the sense of the Hindu community all over India when I say that we could not have yielded too much. I would not care if the rights of self-government are granted to the Mohammedan community only. [Hear, hear.] I would not care if they are granted to Rajputs; I would not care if they are granted the lowest classes of the Hindu population, provided the British Government consider them more fit than the educated classes of India, for exercising those rights; I would not care if these rights are granted to any section of the Indian community. Then the fight will be between them and other sections of the community and not as at present a triangular fight. Remember, we have to gain these rights from a powerful bureaucracy, an unwilling bureaucracy, naturally unwilling because the bureaucracy now feels these rights, these privileges, this authority will pass out of their hands."

The resolution was not meant only to be formally passed and then slept over, and he exhorted the audience to carry on the agitation. "We cannot now afford to spend our energies on all the resolutions on the Public Services, the Arms Act, and sundry others. All is comprehended and included in this one resolution. I would ask every one of you to try to carry out this one resolution with all your effort, might and enthu-

siasm. I do not care if the sessions of the Congress are held no longer; I believe it has done its work as a deliberative body. These are the days of work and incessant labour, and I hope that by the help of Providence, you will find that energy and those resources which are required for carrying out that scheme within the next two years to come, and if not by the end of 1917, when I expect the war will be closed, and then I hope we shall meet at some place in India where we shall be able to raise up the banner of self-rule." (Loud Applause).

The resolution was carried unanimously.

Tilak's aceptance of communal electorates was based on the hope that the system would not last and would only be temporary and that the Muslims themselves would soon give it up. His hope was shared by Jinnah, as would appear from the following extract of his evidence before the Parliamentary Select Committee in 1919.

Examined by Major Ormsby-Gore, Jinnah was asked:

Q. "You said you spoke from the point of view of India? You speak really as an Indian nationalist?"

A. "I do."

Q. "That is to say that at the earliest possible moment you wish to do away in political life with any distinction between Mohammedan and Hindu?"

A. "Yes; nothing will please me more [than] when that day comes."

In the changed political atmosphere, the Congress had adopted a resolution on self-government, but many delegates were not serious about it. It was with great difficulty that Tilak was able to persuade the Congress to pass another resolution calling upon the Home Rule League and other public associations to carry on continuously a vigorous propaganda. The Moderates were reluctant. Even Jinnah and Malaviya voted against it. He put forward another proposal, i.e., the Congress should have a small and compact executive so that the work during the year might be carried on more efficiently. He said it would be like a war-cabinet. But the Moderates thought that they had already yielded enough, and declined to give their support to the proposal, and Tilak, being not prepared for a showdown, withdrew it.

The Congress, however, passed a resolution, authorizing the All-India Congress Committee "to arrange that a deputation consisting, as far as possible, of representatives from different

provinces, should proceed to England immediately after the war to press Indian claims on the attention of the Government and people of England."

At the Congress, Tilak's party was in minority. But among the people, an overwhelming majority was with him. At Lucknow, no Congress leader was given so great an ovation and such a rapturous reception as Tilak. When he arrived at the Lucknow railway station after 12 noon on December 25, he was surrounded by a large crowd, shouting, "Tilak Maharaj ki Jai!" The reception committee had arranged for a car to take him and his party to the place of their stay in the city. But the people gathered to receive him insisted that he should be taken in a procession. They had brought for him a tastefully decorated carriage. The reception committee men asserted their right, and put him into the waiting car. This the young men would not allow, and they punctured the tyres of the car with their knives. Some of them had stood before the car obstructing it. Ultimately, they succeeded in their efforts and drew the carriage themselves, with Tilak seated in it, heavily garlanded, and carried him to the Chhedilal Dharamshala over a circuitous route. After the Congress session was over, Tilak was taken round the city which was richly decorated. At many places, his car was stopped to enable people to offer *arti* and flowers. He addressed several meetings in the city, the biggest being the public meeting which was attended by 20,000 people. Never had so much enthusiasm been shown to a public leader, and never had so many people gathered together for a political meeting where Home Rule was to be dilated upon. A number of organizations entertained him, and everywhere he spoke on the same subject—Home Rule for India; it was his message which inspired the people more than the Congress resolutions.

CHAPTER LVIII

HOME RULE PROPAGANDA
(1917)

After the close of the Congress session, both Mrs. Besant and Tilak toured the country and explained the implications of the Congress-League scheme at largely attended public meetings. The Government of Madras in order to put a stop to this propaganda interned Mrs. Besant and two of her associates at Ooty. Public feelings grew acute, and there was great agitation all over India. Many prominent leaders of public opinion joined the Home Rule League, and the situation grew very tense. Montagu in his Diary narrates a story and draws a lesson: "I particularly like Shiva who cut his wife into 52 pieces only to discover that he had 52 wives," and he adds: "This is really what happened to the Government of India when it interned Mrs. Besant."

There was a move to start a passive resistance movement to get Mrs. Besant released, but in the meantime Chamberlain resigned and Montagu succeeded him at the early age of 36. The ban on Mrs. Besant was lifted.

But the Government of India and local Governments were seriously perturbed. "For good, or for evil, Tilak and Mrs. Besant have had a triumph over the Moderates," wrote the Home Member of the Government of India to the Viceroy, "and we can only hope that this triumph will prove to be short-lived, and ultimately disastrous to their leadership. The purity of the intentions of Mrs. Besant and of Tilak has been certified by two High Courts, though everybody knows that the former is influenced by the passionate desire of a vain old lady to be a leader of movements, and [knows too] the venom and hatred of the latter against everything British. These two may cover their language under the cloak of loyalty to the Crown, and the affected desire that India shall continue within the Empire, but if you read the speeches and articles, it is impossible to discover why a continuance of the British connection is desired at all, or what India has to gain from it, if all the rest of the assertions made are true."

Proposals were made to the Viceroy to order some action

against the two Extremist leaders. He replied that he was prepared to consent to summary action being taken against Tilak, Mrs. Besant and such like, if a clear case is made. But as things stand, it seems to me impossible on paper to draw a distinction between the self-government which we advocate as the ultimate goal of British rule in India, and Home Rule as advocated by Tilak and Mrs. Besant, though we know in fact that the two policies are as poles apart." (February 1, 1917).

But when the Punjab Government came to know that Tilak was meditating a visit to the Punjab, it came out with an order (February 1917) prohibiting his entry into that province. Sir Michael O'Dwyer was then the Governor of the Punjab. He had become known for his anti-Indian attitude, and then, he had to deal with people who had gone some time ago to America and other countries and were now returning full of revolutionary ideas given them by leaders of what was known as the Ghadar Party. While passing the prohibitory order he expressed his view in these words: "As the Ghadar movement, with some phases of which we are still dealing, shows how ignorant or half-educated Punjabis practically interpret the Home Rule propaganda, it is considered that in present conditions of the Punjab the visit of Tilak to this province in support of the propaganda would be fraught with considerable danger to the public tranquillity."

In March, the Bombay Government too made a complaint against Tilak to Delhi. In its letter (March 22), it said: "The effect of the judgment of the High Court has been most unfortunate. The violence of the speeches and writings in connection with Home Rule and kindred movements has increased in volume. The Government of Bombay have been watching the developments of this movement with growing anxiety. The Governor-in-Council regards Tilak as a man whose political activities are fraught with public danger, and while their last attempt to cure him ended in failure, they feel that the time has now come for some further measure to be taken in that direction. Again, however, they hesitate to act because of the official recognition given to him by the presence of His Honour the Lieutenant Governor of the United Provinces on the same platform at Lucknow last Christmas."

The letter then suggested that "all agitation aiming at Home

Rule must be regarded as seditious because it is calculated to stir up disaffection not only against the Government as at present constituted, but against any form of government that was likely to be established within any reasonable time that can be foreseen. The absence of such a declaration makes it difficult for the Government of Bombay to take effective action against persons, Indian or European, who are fanning the flame, and leads to desultory and inconsistent action in the different provinces."

In March, 1917, the Government of India issued a circular to local Governments outlining the policy to be pursued with regard to the Home Rule agitation. In cases where law had been transgressed, prosecutions were to be launched without any hesitation. Students were prohibited from attending meetings where Home Rule was likely to be discussed. The letter, in brief, said: "It is scarcely necessary to state that neither the reforms recommended by the Government of India, nor any reforms which His Majesty's Government are likely to approve, can bear resemblance to the extravagant demands for the grant of early Home Rule to India, which the agitators present to their deluded audiences. It is evident therefore, that the wilder the hopes that are excited by the Home Rule organizations, the greater will be the disappointment and the more violent the protests when the actual reforms that may be approved by His Majesty's Government come in due course to be promulgated."

And here is what the letter required the local Governments to do. "In these circumstances, it is most important that the several Local Governments should take steps to check these extravagant expectations which have been engendered by the Home Rule agitators. It seems desirable that the Local Governments should, through their experienced officers, point out to all Indians who are likely to listen to reason that any thought of early Home Rule should be put entirely out of mind. They should warn all men of light and leading and all those who have hereditary influence over the people at large to dissociate themselves from the Home Rule campaign as it is at present being conducted."

In its turn the Bombay Government was being pestered by district magistrates who asked that a more decisive action be taken against the agitation.

The Bombay Governor, Lord Willingdon, now suggested to

the Viceroy that a conference of representatives of various provinces should be held in Bombay on April 7, to consider the desirability of dealing with the Home Rule agitation on common lines throughout India. In his zeal, he sent out invitations to the provinces direct, a step which the Government of India resented, and asked that the invitation should be cancelled. Bombay carried out the order explaining that "the idea of the conference was not inspired by any hostility to the Government of India".

The Bombay Government again pressed the suggestion, but modified it by proposing that the Government of India should invite an informal conference. The Government of India, as a first step, invited the views of the local Governments on how the Home Rule agitation should be dealt with. The replies confirmed its earlier belief, and it informed the Bombay Government that "the disadvantages of such a conference on the whole outweigh the advantages."

Then the Bombay Government came out with a specific suggestion, that it should be a common policy of all provincial governments to prohibit organizers of any meeting from including in their agenda of business the subject of Home Rule. Again it was discouraged by the Government of India saying that "such a general prohibition could not legitimately be issued," because by this course, the "difficulties of the provincial Governments would only be increased."

But the Viceroy, apprising the Secretary of State for India of the situation, suggested to him that some public declaration in regard to the constitutional and administrative changes proposed after the war, was desirable. The statement should also deal with Government's attitude towards the agitation. "Mrs. Besant, Tilak and others," said the Viceroy, "are fomenting with great vigour the agitation for immediate Home Rule, and in the absence of any definite announcement by Government of India as to their policy in the matter, it is attracting many of those who hitherto have held less advanced views. The agitation is having a mischievous effect on public feeling throughout the country. Consistent and malicious attacks on the system and method of present administration are aggravating the danger."

The Home Rule League itself, without any knowledge of what was passing between the local Governments and the Indian Government, and between the latter and London, also

demanded a similar declaration. The first annual conference of Tilak's League was held at Nasik on May 17 and 18, under the presidentship of Joseph Baptista. A private meeting at which about 50 leading members were present was held in the morning of the first day. The principal subject discussed was the attitude of officials towards the League. It was suggested by several persons that, until Government made a definite expression of its policy, opposition from local officials was inevitable, and that particulars of cases of obstruction to the movement should be collected as a preliminary to getting a question asked in the Legislative Council with a view to eliciting an expression of Government policy.

It was at first intended that the Conference, which was held in the afternoon, should also be private, but at the last moment, it was decided to admit non-members on payment of one rupee each. The attendance was about 1,500. The proceedings began with the reading of the reports of the League and its branches. The League had now 14,000 members, its income had been nearly Rs. 16,000, and its expenditure about Rs. 2,800; twenty-five lectures on Home Rule had been delivered during the year, and three pamphlets had been published in English, Marathi and Gujerati.

One of the resolutions passed by the conference was to the effect that the executive committee of the League should make arrangements to carry on propaganda work in England.

At the close of the conference, Tilak delivered a winding-up speech, in which he explained the difference between the functions of the Congress and those of the League. The former, he said, was a deliberative body, which passed resolutions on a multitude of subjects, but did very little in the way of propaganda. The League devoted all its energies to the one question of Home Rule, and was meant to work zealously throughout the year. He concluded by saying that some people had wished the League long life. He did not think that was an auspicious wish and he would be much better pleased if the League attained its objects in a short time, say, two years, and were then dissolved.

After the conference, Tilak's lieutenants went into the countryside on a lecture tour. They gathered together villagers, and told them what Home Rule was and why they should have it without further loss of time. Villagers were asked to sign the roll of the League, and become fearless in

the hope that soon British rule would end and Home Rule would be established.

About these visits, the district authorities were very apprehensive. The district magistrate of Satara reported to the Government that he had been informed by some villagers that the visitors had advised them not to subscribe to the war loan because Government was deceiving them and they would lose their money, and had told them that they had much better give the money to Tilak, who was going to England to ask for Home Rule.

But the higher authorities were cautious, having learnt from the past experience that repression only added to the tempo of a political movement. And the movement did receive incentive from certain utterances in England of men like Lord Pentland who ridiculed India's claim for Home Rule. Tilak and his colleagues took the Pentland speech as a challenge, and they advised the Congress committees all over the country to enter protests and arrange to get up a monster petition on the subject of Home Rule addressed to the Secretary of State for India. They also stressed that Government orders prohibiting participation of students in political agitation should be resisted as they were directed against the Home Rule movement. They were in favour of a movement for passive resistance in this connection. Talk of passive resistance was already in the air over the internment of Mrs. Besant, and Tilak naturally suggested that if a passive resistance movement was to come, it could be broad-based.

In this tense atmosphere a joint meeting of the All-India Congress Committee and the Council of the Muslim League was convened in July. The meeting decided to ask the opinion of the provincial Congress committees and the Muslim League units on the question of passive resistance. The meeting demanded an authoritative pronouncement pledging the Imperial Government in unequal terms to the policy of making India a self-governing member of the British Empire; immediate steps to sanction the scheme of reforms conjointly framed by the two bodies; the publication of official proposals; and reversal of the repressive policy.

Meetings were now held in provinces to consider what attitude to take in respect of passive resistance. Some considered the step inadvisable, but the Madras and Bihar Provincial Congress committees strongly expressed them-

selves in its favour. The Bihar committee even demanded that "a date must be fixed within which to release all Home Rule internees as well as Khilafat prisoners". In the city of Madras a pledge was drafted for carrying on the constitutional agitation. The first man to sign it was Sir Subrahmania Aiyer, a retired Judge of the Madras High Court and President of Mrs. Besant's Home Rule League. He renounced his knighthood.

The Government reporters were busy collecting political information, and one of their reports said: "The only people who have a well-conceived plan of passive resistance are the friends and followers of Tilak who are of opinion that Indians should refuse to co-operate with Government in the various spheres of life and public activity, viz. educational, industrial, moral, commercial, political and administrative."

There was a more interesting report. Dr. Moonje, the leader of extremists in the Central Provinces, told the Director of Criminal Intelligence, who had sought an interview with him: "Mrs. Besant had done her best for Home Rule but, as a matter of fact, she had been used throughout as a tool by the real Home Rule Statesman, who was Tilak. Mrs. Besant was really a mere agent of Tilak, although she did not know it herself."

While Madras and a few other provinces were preparing for passive resistance, the political situation underwent a sudden change, and the movement did not come off. On August 22, the Secretary of State for India made two pronouncements in Parliament. The one said that "the policy of His Majesty's Government is that of the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India as an integral part of the British Empire." The pronouncement added "that progress in this policy can only be achieved by successive stages." The Secretary of State also stated that he would be going to India to discuss these matters with the Government of India and the leaders of public opinion. The other pronouncement said that the British Government had decided to admit nine Indians to commissioned ranks in the army. Montagu's policy had an assuaging effect on Indian politics. Internment orders were withdrawn.

Tilak, however, did not slacken his propaganda. His League was getting ever more popular, and prominent Muslims were also joining it, among them being Jinnah and the family of Maulana Mohammed Ali.

To the chagrin of the Government in India and the Secretary of State in England, Tilak's steam-roller of agitation was going ahead ever more vigorously. Their hope that the August pronouncement would calm down Tilak was belied. The pronouncement was the result of constant agitation which had compelled British statesmen to recognise India's claim to self-government, though at an unforeseeable distant date. It was, therefore, obvious that withdrawal or relaxation of agitation would be undoing two years' hard work. It was he who had put life into India's dead politics.

A report to the Government described Tilak's activities after the pronouncement thus: "The capture of the Congress organisation by Mrs. Besant and Tilak is complete. The Moderate party in the Congress is extinguished. The Congress is completely identified with Home Rule. The only effect of all this will be that the Congress will alienate the sympathies of many loyal Indians."

In October, another joint meeting of the All-India Congress Committee and the Council of the Muslim League was held at Allahabad, and it was decided to send an all-India deputation to the Viceroy and the Secretary of State, Montagu (who had since arrived in India) with a representation in support of the Congress-League scheme. On November 26, the deputation, which consisted of, among others, Tilak, Gandhi, Jinnah, Tej Bahadur Sapru, Motilal Nehru, waited on Viceroy Chelmsford and Montagu. They had their say. An immediate answer, however, was not expected. Again on November 27, Tilak had another interview with Montagu. This time, most of the talking was done by Montagu, who made great efforts to secure Tilak's support to the impending reforms, which fell far short of Tilak's expectations. Montagu failed. Montagu knew, as he noted in his diary, that Tilak "is at the moment probably the most powerful leader in India, and he has it in his power, if he chooses, to help materially in the war effort. His procession to Delhi to see me was a veritable triumphant one. He was really the author of the Congress-League school."

There is an interesting episode associated with Tilak's visit

to Delhi with the Congress-League deputation. Like the Punjab Government, the Chief Commissioner of Delhi had also prohibited Tilak's entry into Delhi. He cancelled the order on hearing that Tilak was one of the delegation, but the Punjab Government was not prepared to withdraw its order. The map was consulted and it was discovered that by whatever route Tilak approached Delhi, he would have to traverse a portion of the Punjab. The Government of India, therefore, sought the permission of the Punjab Government by telegram, and the permission was given on the condition that, while passing through Punjab territory, Tilak would not take advantage of the permission and address meetings or receive deputations. This decision was communicated to Tilak, and he agreed to the condition.

In November he resumed his propaganda work which had been disturbed for over a month. Towards the end of the month, the Gujerat Political Conference was held at Godhra under the presidentship of Gandhi. The commencement of the proceedings had to be slightly delayed until the arrival of Tilak. Gandhi spoke a few apologetic words for the delay for which, he said, he was not responsible, and humorously added that they were asking for Home Rule, and it should not matter to them if they got it forty minutes late. He would not spare even Tilak for unpunctuality.

The year's campaign had virtually finished the Moderates. They made up their mind not to attend the year's Congress. They feared that the overwhelming majority of the followers of Tilak and Besant would outshine them in the subjects committee.

During the year, the message of Swaraj had been delivered at every door. This was the common subject of talk in the country. Tilak had told the Indian people what was meant by Swaraj or Home Rule, and his arguments were repeated from mouth to mouth like text-book lessons. "What is Swaraj? It is replacement of bureaucracy by the people themselves...... Ten years ago to talk of Home Rule was sedition, and people were afraid. But now it is conceded both by the judiciary and the executive. Let there be a Viceroy and let him act according to the advice of the people. Let our money be spent upon us and with our consent. Let public servants be really servants of the public and not their masters as they at present are. Our opponents say: 'Ask

for your Home Rule as much as you like, but you must not criticise the bureaucracy; that creates discontent." This is asking us to achieve an impossibility. It is as if you ask a man to eat a fruit without biting it."

Tilak invoked the scriptures to bring home his exhortation: "Swaraj is the natural consequence of diligent performance of duty. The Karma-yogi strives for Swaraj, and the Gnanin or spiritualist yearns for it. God does not help the indolent. You must be up and doing. Action alone must be our guiding principle, action disinterested and well-thought-out. It is your birthright to govern your own house; nobody else can claim to do it."

CHAPTER LIX

ANOTHER MILESTONE REACHED

THE yardstick of measuring a year's progress of the Home Rule campaign is the election of Mrs. Besant as president of the 1917 Congress. She was Tilak's nominee, and her success was interpreted as defeat of the Moderates. They had not yet decided to withdraw from the Congress, but their position was no better than that of the Extremists before 1906, with the difference that while the latter were vigorously pushing forward their aims, they themselves were like the setting sun. In 1916, Mrs. Besant had been defeated by 62 to 25 votes of the provincial Congress committees. In 1917, her popularity, mainly due to the Home Rule campaign, routed the Moderates.

In her presidential address, Mrs. Besant emphasised the point, which Tilak had raised at the Lucknow Congress and which the Moderates were not willing to concede, that a Bill should be brought before Parliament during 1918, "establishing self-government in India on lines resembling those of the Commonwealth on a date to be laid down therein, preferably 1923, the latest 1928, the intermediate five or ten years being occupied with transference of the Government from British to Indian hands, maintaining the British tie as in the dominions."

The main resolution of the Congress also urged "the necessity for the immediate enactment of a Parliamentary Statute providing for the establishment of responsible government in India, the full measure to be attained within a time-limit to be fixed in the statute itself at an early date." The resolution demanded immediate introduction of the Congress-League scheme of reforms by statute "as the first step in the progress." Before the Congress met in December, Gandhi had taken practical steps to popularise the Congress-League scheme among the masses. At his instance, the scheme was translated into Indian languages and explained to the people; up to the end of 1917, over a million people had signified their approval of it by appending their signatures to it.

Again, as in 1916, Tilak spoke on the self-government

resolution; that was his only interest. He said that the pronouncement of the Secretary of State for India mentioned the words 'responsible government' and not Home Rule or Self-government. "It is necessary to define responsible government, otherwise the words may be interpreted quite contrary to our intention, and it may said, 'We promised responsible government in which the Legislature ought to be under the control of the executive and the more it is placed under the control of the executive, the more responsible will be the government you get.' (Laughter). I must tell you frankly that this is not the kind of responsible government we want. We understand by responsible government a government where the executive is entirely responsible to the legislature, and the legislature is wholly elected. When I say that the executive should be under the control of the legislature, I go so far as to say that even the Governors and the Lieutenant-Governors should be elected. That, however, will be the final step. But in the present circumstances, I shall be quite content, and so I think will most of you, if the first step that we demand is granted to us immediately. And by full self-government at an early date, I do not think any sane man will understand more than 10 or 15 years at most."

The other resolution in which Tilak took interest and which he himself agreed to move was the one which urged Government to release Mohammed Ali and Shaukat Ali, who had been in internment since 1914. Calling upon Tilak, to move the resolution, the President said: "We have chosen him because he has suffered seven years' imprisonment for his country." The compliment was greeted with loud cheers. On the dais sat, next to the President, the mother of the two internees, listening to the speeches made on the resolution. Tilak congratulated the mother that she had given birth to two brave sons, and wished that India had many mothers like her. He deplored the policy under which Government imprisoned people without trial.

The 1917 Congress was a damper to Government; the dwindling strength of the Moderates was a cause of great anxiety.

Now when the Congress, the Muslim League, the Home Rule League and other political organisations were all united over the self-government demand, there appeared some dis-

turbing elements. On the one hand, the Hindu Mahasabha, alarmed at the Lucknow Pact, came out with a resolution repudiating the claim of the Congress to speak on behalf of the Hindus; on the other some non-political Muslims took up cudgels against the Muslim League, and saw the Secretary of State on behalf of several organizations which had perhaps come into existence just a short while before. There were some Ulemas also among them, and the Viceroy, Chelmsford, who was present at the interview, asked them a question: "Can you tell your views shortly to the Secretary of State and myself?" Quick came the answer, "We do not want Home Rule." Montagu's Diary records further conversation thus: "Then a delightful old man, with a beautiful beard and a fine profile, told us that he had studied the Koran and all the commentaries, the Bible and the Holy Books, and he could find no sanction for the Congress-Muslim League scheme in them."

Ever since these questionable activities of some people on both sides came to the notice of Tilak, he had been trying to circumvent them. He knew that the disruptionists would invoke religion for their nefarious ends, and, therefore, he established contacts with religious-minded people. In January, 1918, he called a private conference of some Hindu nationalists and Mohammedan Pan-Islamists. Dr. Ansari was also present. Tilak spoke on the desirability of widespread agitation being carried on among the masses, and pointed out that the agitation would not succeed unless it was mixed up with religion. The outcome of the conference were two new movements: One was the revival of the *Kirtan* among Hindus; the other was the Anjuman-i-Khuddam-i-Kaba. At the gatherings of these two, political songs were to be sung with the religious. It was stressed at the meeting that what appealed to the masses most was a movement ostensibly religious and spiritual.

This was Tilak's unique achievement. Religion which was sought to be used by each community against the other was made by him a cementing force to be utilised for political progress. He used to say that if both Hindus and Muslims lived a true religious life, according to the dictates of their religion, there would be no quarrels between the two, and both would live happily with each other.

But what worried Tilak more than the tiny opposition in

India was a carefully organised effort in England of some retired Anglo-Indian bureaucrats against Indian Home Rule. In 1917, after the August 20 declaration, they formed the Indo-British Association, and started their campaign, which they said should be as vigorous as Tilak's in India. Little was being done on behalf of India by the Congress machinery in England. The paper, *India,* published by the British Committee on behalf of the Congress, was conducted by Moderates of the extreme right. It did not even publish the Congress resolutions. Some positive action was called for to counter the propaganda of the Indo-British Association, and although the question of carrying the Home Rule campaign to England had been in Tilak's mind for many months, he took a decision only after his return from the Congress.

CHAPTER LX

ATTITUDE TO THE WAR

ENGLAND entered the Great War of 1914-18 as a champion of democracy, with the vast resources of men, money and material of her dependencies. Her position was apparently anomalous; she was fighting for the cause of democracy, but showing no inclination to give democratic rights to the people of India and other dependencies. Opinion in India was divided as to whether support to the war effort should be willingly given. On the one side were those who had faith in England's good intentions and readily assured their help and co-operation; they belonged to the constitutional school of politics. On the other side were those who were not only opposed to any kind of co-operation in the war effort, but collaborated with the enemies of the Allies, sincerely believing that that method would liquidate the British Empire and liberate India; they belonged to the revolutionary school, and their activities were not confined to India. Among the former were men who asked whether the principles for which Britain was fighting were going to be applied to India. They did not mean that a democratic set-up should be brought into existence in the midst of the War or that a full-fledged democracy should be established at one stroke. They wanted a definite promise, and argued that such a promise would enthuse the leaders and common run of men to contribute to the war effort with greater vigour. Tilak was the leader of this school, and soon after the outbreak of the War came out with a statement saying that "at such a crisis it is the duty of every Indian, be he great or small, rich or poor, to support and assist His Majesty's Government to the best of his ability." This statement was made by one who had for many years fought and suffered for the freedom of his own country. He expected a reciprocal gesture from the authorities believing that for the first time a big empire like the British was mobilising the forces of a great part of the world in the cause of democracy.

Congress leaders and others of the constitutional school were for unconditional support. They were holding meetings

everywhere to encourage the people to enter military service. The most enthusiastic among them was Gandhi who worked as a "recruiting sergeant". He raised the question to a high moral plane: unconditional support, given at a time of crisis, would yield better results. When the British authorities made no announcement of their policy with regard to India, Tilak broke his silence, and demanded an assurance of self-government as a condition precedent to India's willing support to the war effort. His campaign for conditional support developed side by side with that for Home Rule. The beginning was made with a sarcastic article in the *Mahratta* (February 27, 1916) which was a comment on a speech of the Lt. Governor of U.P., Sir James Meston, in which he had exhorted the Jats to join the army.

His writings and speeches were marked, throughout the war, by more bitter sarcasm, and questioned Britain's right to expect help from India. In the *Kesari,* dated February 20, 1917, he wrote:

"Without waiting for the introduction of the Defence of India Force Bill, our leaders have gone on holding public meetings everywhere to encourage the people to enter military service. The Viceroy need entertain no misgivings that his call will not be responded to by the Indian public. It is only the Indians who have a misgiving as to whether Government would inaugurate a generous and judicious policy or whether, even at the present critical time, they would still continue to be possessed by the spirit of partiality and would observe invidious distinction between their black and white subjects. Whatever the attitude of Government, our line of action has been definitely settled and our leaders have advised the people to enter military service unconditionally.

"It is now to be seen whether Government would grant the prayers made by responsible Indian leaders at various meetings. They have not called upon Government to do any act of extraordinary liberality, but only bare justice which demands equality of treatment to both the black and the white in all matters. If the Government refuses to grant the demand and discontent results and the call for military service does not receive a response from Indians, the blame will not be theirs.

"What is the significance of this throwing open of military service to Indians by Government? We shall indulge in a

little plain-speaking in interpreting the significance of this step. It simply means that today Government cannot do without our aid. To properly understand the significance of the measure, we must first of all shake off our intellectual dullness brought on by our over-loyalty and free ourselves from the delusion resulting from our excessive love for the Empire. If Government was really actuated by disinterested motives, why did they withhold the boon of military service from us for the last hundred years, and why did they disarm us? What have we done that has rendered us worthy of their trust now? If the possession of arms was the cause of the Mutiny of 1857, what guarantee has been taken from the nation that armed and trained men under the new measure will not raise a standard of revolt in the future? In 1857, there was no demand for Swarajya as at present. Thus it may perhaps be argued by some that there is a strong motive for rising in rebellion now while there was none formerly. . . . "

For over two years, Tilak did not put any obstacle in the way of the recruitment. His preoccupation being the campaign for Home Rule, he only casually mentioned the war effort. In the beginning, he even asked students to suspend studies for a year or two and contribute their mite to the war effort. "If age and grey hair," he once said, "are no disqualifications, I am prepared to stand in the fighting line." While asking the people to help the Government, he sometimes threw in a note of sarcasm here and there in his speeches, but did not attach any conditions. But the behaviour of the Government changed his opinion. The police apparently had instructions to hinder the Home Rule movement, and began to harass and victimise villagers who enrolled themselves as members of the Home Rule League. Obstructions were put in the way of the League workers holding public meetings. The speakers took care to see that by no stretch of interpretation should their utterances be regarded as seditious; and yet the authorities were alarmed, because they did not like the people to be told that since Britain was fighting for the cause of democracy, it was India's right to demand Home Rule. The unanimous resolutions of all shades of political organisations in India, asking the British Government to promise self-government within a specified period, failed to persuade the British rulers to make an unambiguous declaration. Tilak, therefore, now refused to fall in line

with some of the other prominent leaders—the most conspicuous among them being Gandhi—and said that unless he was assured of Home Rule, he would not help in recruitment. He said that Government was not responsive to Indian demands and sentiments. It did not heed the agitation that had been going on against indentured labour for South Africa.

Tilak was bitter. At a meeting held at Poona early in February, he said that if Government was not prepared to put an end to the system of indentured labour, the people could easily force it to do so. He advised young men to work together for this object. He asked them to be prepared to give up their studies and make up their minds to suffer hardships and even to go to jail. If the Government was not prepared to stop recruitment of indentured labour, the people should do it themselves. His faith in the Government's good intentions was shaken. He made speeches telling people that he could not honestly ask those who listened to his advice to join the army. The overall effect of the speeches was that Indians would be only wasting their blood if they fought for the victory of the Allied arms. There was no difference between fighting for the Allies and sitting at home.

He was *persona non grata* with the Government, and was not invited to the War Conference, held in Delhi on April 27, 1918. Gandhi, who had been invited by the Viceroy, Lord Chelmsford, responded to the invitation, but had objections to taking part in it, the principal one being the exclusion from it of leaders like Tilak, Mrs. Besant and the Ali brothers. The Viceroy called Gandhi for a discussion and told him that if he agreed that the Empire had been on the whole a power for good, he should help the British during the critical year. The Viceroy pleaded: "You may raise whatever moral issues you like and challenge us as much as you please after the conclusion of the war, not today." Gandhi agreed, and participated in the Conference.

The Secretary of State for India, Montagu, did not like the Viceroy's action in ignoring Tilak, according to the entry in his Diary for April 27: "With regard to Tilak, if I were the Viceroy, I would have had him at Delhi at all costs. He is at the moment probably the most powerful man in India, and he has it in his power, if he chooses, to help materially in the war effort. If he is not there, it will always be said that we refused to select the most powerful people."

On the eve of the Delhi Conference, a public meeting was held at Delhi, under the combined auspices of the Home Rule League, the Provincial Congress Committee, the Indian Association, and the Muslim League, under the presidentship of Dr. Abdur-Rahman. The only item on the agenda was—'The Imperial War Conference and our duty.' The meeting adopted two resolutions: that the Imperial Government should recognise India's right to full responsible Government and, as a first step, grant the Congress-League scheme of reforms; and that no assembly can be considered representative of the views of the people and can command their confidence which does not include Tilak, Mohammed Ali, Shaukat Ali, Mrs. Besant and Rabindranath Tagore. While the Conference was in session, Tilak, Mrs. Besant and Sir Subrahmania Aiyar sent a telegram to the Viceroy saying that "any attempt to stop political discussion will be fraught with serious danger to public tranquillity and will be an unheard of inroad on fundamental rights of the people to be resisted by all constitutional means."

After the Bombay delegates' return from Delhi, a public meeting was held in that city on May 3, 1918, in honour of Khaparde and Moonje, who were among the invitees of the Conference and who raised their voice for Home Rule. Tilak was in the chair, and in a speech he delivered in Marathi, he said that the Delhi Conference was no doubt a beautiful spectacle, but it had achieved very little. There were thirty representatives of the people at the Conference. If they had supported the self-government resolution, the Viceroy would have been compelled to take up the question, but only fourteen of them signed the requisition asking that the question should be considered, and when the time came to submit the requisition Khaparde was left to do it single-handed. The truth was that these men were not the real representatives of the people. They were merely nominees of Government. The bureaucracy wanted them to sacrifice their lives without making any sacrifice themselves. The Empire's need was India's opportunity, Tilak added. It was their duty to exploit that opportunity as Canada and Australia were exploiting it.

But Tilak was invited to the Bombay Presidency War Conference held on June 10, under the chairmanship of the Governor, Lord Willingdon. The Governor inflicted on the

audience a severe sermon on Home Rulers whose bona fides he called into question. He said: "Indeed I must frankly say that their (Home Rule Leaguers') object seems to have been at every available opportunity to increase the difficulties and embarrassment of Government whenever and wherever they could. From reading their speeches, the position of those gentlemen seems to be this—'We quite realise the gravity of the situation; we are all anxious to help, but unless Home Rule is promised within a given number of years, and unless various other assurances are given us with regard to other matters, we do not think we can stir the imagination of the people, and we cannot hope for a successful issue to the recruiting campaign'."

Tilak was then called upon to speak. He expressed on behalf of himself and all Home Rulers deep loyalty to the King Emperor. The resolution, however, was defective in one respect, he said, and regretted that the rules of procedure did not allow him to move an amendment to the resolution. The chairman (Willingdon) said that if Tilak wished to move an amendment, he could not allow it, as he had stated at the very outset. Tilak dropped his intention of moving an amendment, and proceeded to say that co-operation with the Government necessitated certain things. There could be no Home Defence without Home Rule. The chairman here called Tilak to order and said he could not allow any political discussion. When Tilak was twice interrupted and called to order, he left the platform and the meeting also. He was followed by his Home Rule League friends. A hurriedly called meeting of the executive committee of the Home Rule League was held, and it was decided that the Home Rule Leaguers would not attend the subsequent meetings of the War Conference. Bhulabhai Desai, one of the invited Leaguers, differed, and resigned his membership of the League in order to release himself from the obligation.

Next week, a public meeting was held, under the presidentship of Gandhi, to protest against the Governor's behaviour at the Conference. Gandhi condemned Lord Willingdon's gratuitous insult to the Home Rulers. But he impressed upon the people the necessity of helping Britain in her crisis.

On June 22, Tilak made a public speech which was considered objectionable by the Bombay Government. Under his presidentship, a meeting was held in the Kirloskar Theatre

at Poona, at which a lecture on 'Conscription' was delivered by K. P. Khadilkar. In his lecture, Khadilkar made some observations on Shivaji's army. Tilak dilated on the subject and compared Aurangzeb's method of recruitment with that of Shivaji.

Then he said: "The British just want you to supply soldiers whom they want for the war. Do not entertain any ambition in your minds. Do not entertain any hope of becoming colonels. They tell us, 'a calamity is hanging over India'. What is that to us? Why should we come forward to protect that India in which we have no rights, in which we are treated like slaves? If the British really have the good of India at heart, they should declare that Indians would get all the appointments in the army and would have the same rights as Europeans. If proper means are not adopted at this time, if educated citizens of India are not made to feel that this country is theirs, then it is impossible to recruit an army. Hundred recruits secured for hundred rupees each are equal to one recruit enlisted on his own inspiration. Should not the Government realize this fact? I do not think that in Maharashtra there will be found such people as would say —'Happen what may to Maharashtra, happen what may to India, we shall remain lolling on our beds in our houses'. This is not the nature of Maharashtrians. . . . Government should by positive deeds, infuse in them a spirit so that they may feel and say, 'We woùld die for our country'. Then, I am sure we shall be able to raise an army of a crore of men. But by not conceding the demand of India, the British Government is pursuing a wrong policy. The bureaucracy has overrun the whole nation; and we are not prepared to become soldiers in order to increase the power of these men. What are we to tell our men? Join the army to strengthen the *zulum* of these English people?"

Serious notice was taken of this speech. Copies were circulated among the Viceroy and his Executive Councillors and the Governor of Bombay and his Executive Councillors. The concensus of opinion was that legal proceedings would be inadvisable and might eventually do more harm to the war effort. The Bombay Government, therefore, issued an order under the Defence of India Rules forbidding Tilak to speak in public without the written permission of the district magistrate of the district in which he proposed to speak and,

in case of the city of Bombay, of the Commissioner of Police. The order was not to apply "to any speech confined to the subject of constitutional reform which he may make at the forthcoming special meeting of the Indian National Congress."

Tilak had had some correspondence with Gandhi about his attitude to the war, and hoped to recruit 5,000 person from Maharashtra, if Gandhi could secure a promise from the Government beforehand that Indians would get commissioned ranks in the army. As a guarantee of his good faith, Tilak sent to Gandhi a cheque of Rs. 50,000, the amount to be forfeited if certain conditions were not fulfilled by Tilak. Gandhi's position was that the help should not be in the nature of a bargain and he, therefore, returned the cheque.

The two leaders agreed to differ, and went their own ways. Gandhi went ahead with his recruitment campaign zealously until he was informed one day that the war had ended and that the recruitment had now been stopped. Tilak was preparing to proceed to England on his mission of carrying Home Rule propaganda to that country.

CHAPTER LXI

ONE ANNA OF 'RESPONSIBLE GOVERNMENT'

THE past two years had witnessed the victory of the Extremists over the Moderates in every province, but nowhere had the process been so complete as in Madras and Maharashtra. But the Delhi War Conference had the effect, though feeble, of a revival of the Moderate policy of co-operation with Government where possible and opposition in the last resort. Perhaps the Conference was designed to achieve this result among others, because the Extremists had, by their policy of conditional support to the war effort, created throughout the country an anti-war feeling. They did all that lay in their power to create a bad feeling with regard to the Conference also. They said plainly in their speeches and writings that the Conference was a move to suppress political activity, more especially the agitation in favour of Home Rule. Tilak and Mrs. Besant described it as an attempt on the part of Government to revive the Minto-Morley policy of rallying the Moderates, and said such a Conference stood self-condemned.

But a change was now discernible in Mrs. Besant's attitude to the war. At a meeting of the All-India Congress Committee held at Bombay a few weeks before the Delhi War Conference (on April 3, 1918), she got a resolution passed calling on all patriotic organisations to aid in recruiting Indians for Home and Imperial defence, especially to enrol young men of the middle classes to form under Indian officers a citizen army to defend the country from invasion. The resolution also urged Government that, in order to obtain the desired response, the King's Commissions should be thrown open to all classes of Indians. Bombay with a fair number of Moderates was the most propitious venue for such a resolution to pass, but it sorely offended the Madras Extremists, and not a few men, who a year or eighteen months before meekly obeyed Mrs. Besant's behests, were now in open revolt against her. The climax came a month later at the Madras Provincial Conference held at Conjeeveram on May 9, 10 and 11, under the presidentship of Mrs. Sarojini Naidu. The proceedings

were marked by a revolt of the younger members of the Extremist Party against Mrs. Besant's leadership.

The trouble began when she moved a resolution on the subject of recruiting. This consisted of four clauses: conveying the loyal response of the Madras Presidency to "His Majesty the King Emperor's message"; calling on all patriotic organizations to aid in recruiting for Home and Imperial defence, especially for the purpose of forming a citizen army; urging Government to introduce a Bill promising the early grant of self-government; and recommending the removal of all racial discriminations. In moving her resolution, she dealt mainly with the second clause which, she said, dealt with two kinds of *recruiting*: for the sepoy army and for a citizen army. She made no attempt to encourage the former; in fact she said that the sepoy army was recruited in most objectionable ways which practically amounted to conscription. In urging the meeting to support the raising of a citizen army she was full of persuasive eloquence. Home Rule and Home Defence went together, she said. She did not believe it possible that any one could move an amendment to her resolution.

But to her surprise S. Satyamurti moved an amendment to delete the whole of the clause. He said that for more than three years, India had been shedding her blood in the defence of the Empire with no result except the internment of 2,000 young men in Bengal and the refusal of a passport to Tilak. In reply Mrs. Besant threatened that, if the amendment succeeded, she would call meetings in every part of the Presidency to pass the resolution intact, but, in spite of her appeal, the amendment was carried by 140 votes to 118. Mrs. Besant demanded a poll and, at the end of two hours, it was announced that the votes were 123 for the amendment and 121 against. It was found, however, that one man who was not a delegate had recorded a vote and that one name was illegible. This made the voting equal, and the President gave her casting vote against the amendment.

Although Mrs. Besant achieved a tactical success, her reputation as the most venerable leader of the Madras presidency was shaken to the root. The Home Rulers were surprised that the lady who declared only a month and a half before that they could not co-operate unless Government promised them their Home Rule now called upon the people to join the ranks. Her explanation was that now India itself

was in danger and defending the motherland was more important than the Reforms question. The explanation did not convince the Extremists. This episode completely transferred the loyalty of the Madras Home Rulers to Tilak whom they described as the uncrowned king of India.

Though Mrs. Besant was gradually retracing her steps, she did not lend the weight of her personality to the recruitment campaign. Gandhi, the most enthusiastic recruiting sergeant, invited her help, and wrote to her on July 4, 1918.

Over the recruitment question and attitude to the war effort, there were now sharp differences between the top leaders. Tilak wanted to minimise them so that Government might not take undue advantage of this situation. He made a suggestion that the three leaders, Gandhi, Mrs. Besant and himself should address a public meeting and put their convictions before the audience so that people might decide for themselves what attitude to take in respect of the war effort. "There are small differences," he said in a letter he wrote to Jamnadas Dwarkadas asking him to give effect to the suggestion, "between us on the recruiting question, and I am afraid Government wants to create a split amongst us by taking in hand or playing one against the other. This must be prevented, and nothing can prevent it better than all the three of us addressing the audience from the same platform on this subject."

In the meantime, the Montagu-Chelmsford scheme of reforms was announced, and on this was now concentrated the attention of Indian politicians. Moderates welcomed it, but the Extremists expressed their reactions with reservations; they acknowledged that the proposed reforms were an advance over the existing arrangement, but were disappointed because they fell far short of the expectations of people and politicians. A special session of the Congress was called at Bombay on August 29, to consider them and express an opinion. Tilak was requested to preside over this session, but he declined the honour, which was later conferred on Syed Hasan Imam. Tilak's reaction to the scheme was that "it is a good report with a useless scheme—it is a sunless dawn." He wanted freely to participate in the discussion, and therefore decided to forgo the honour of being president. The Extremists left no doubt in Montagu's mind as to what they wanted. C. R. Das anticipated the failure of diarchy and wanted real responsible government in five years and promise of it at once. Mrs. Besant

held that "the political reforms indicated in the report were unworthy of England to give and India to take." Gandhi said: "The scheme deserves sympathetic handling rather than summary rejection. Fight unconditionally unto death with Britain for victory, and agitate simultaneously, also unto death, if we must, for the reforms that we deserve." Gandhi did not belong to any party—Moderate or Extremist, and therefore his was a solitary voice.

It was Montagu's wish that a responsible body of politicians should come forward, without any reservation, to welcome the Reforms Scheme and express readiness to work it. He had secured the support of Surendranath Bannerjea and through him of other Moderates. After the announcement the Moderates said: "Extremists who do not mean well to Government must be separated from those who do." Therefore leaders like Wacha, Surendranath Bannerjea, Bhupendranath Basu, Ambika Charan Mazumdar absented themselves from the special session of the Congress.

Though Tilak was not in the presidential chair at the session, his voice reigned supreme. It was he who brought about a compromise among divergent extremist elements and produced a resolution acceptable to all. It was a difficult task. Many delegates believed that the special session had been convened merely to reject the "Mont-ford" scheme. Expression was given to this view by V. J. Patel, who was chairman of the reception committee.

The resolution on the reforms scheme was moved by Madan Mohan Malaviya, and supported by Tilak.

Tilak, who on rising was received with a tremendous ovation, said: "My first duty on this platform is to thank the Government of Bombay (laughter) for allowing me to open my lips at least here. I am sorry, very sorry, that the President has not been so kind to me as the Government of Bombay! (laughter). He has allowed me only five minutes (cries of 'you may go on'). I have consented to abide by his ruling."

"We were told that the Congress was going to reject the whole scheme. I could never understand and have never understood what it meant. We are in the midst of our negotiations. If you reject the scheme you have done with it. What are you then going to tell the British people?—'that we reject the scheme'? I think that we have learnt enough of politics to know that it is absurd to take such a position.

Fortunately for all, we have been able to place before you a reasoned document, a resolution, which combines the wisdom of one party, I may say, the temperament of another party, and if you like to call it, I do not like to call it myself, the rashness of a third party.

"The Montagu report is a beautiful, very skilful and statesmanlike document. We asked for eight annas of self-government; that report gives us one anna of 'responsible government' and says that it is better than the eight annas of self-government. The whole literary skill of the report lies in making us believe that one morsel of 'responsible government' is more than sufficient to satisfy our hunger for self-government. We now plainly say to the Government, 'We thank you for the one anna of responsible government, but in the scheme we want to embody all that is embodied in the Congress-League scheme—the rails might be different, but the carriages that carry passengers might be transferred from one rail to another."

The resolution adopted on the subject characterised the proposals, as a whole, as disappointing and unsatisfactory.

The Moderates who refused to attend the Bombay session held a conference of their own in the same city on November 1, under the presidentship of Surendranath Bannerjea. Here a new party, the All-India Moderate Party, was born; it became the nucleus of the National Liberal Federation of India. The new party was desired not only by the Moderates, but also by responsible British authorities, the principal among them being the Secretary of State for India, Montagu himself. Before the party actually came into being and before Tilak left for England, he tried his best to re-unite the two wings, but he failed.

Mrs. Besant too, though she was one of the enthusiastic supporters of the resolution adopted at the special session, cut herself away formally from the main current of Extremist politics. The Home Rule League of which she was the founder had gradually passed beyond her control, with the result that before long she found it desirable to constitute a separate organisation, known as the National Home Rule League, professing views less radical than those pursued by Tilak's Home Rule League.

But there were, in the country, now only two schools of politics: Extremist and Moderate. As against the Extremists'

resolution adopted at the special session of the Congress, the Moderate Conference welcomed the reforms scheme and passed a resolution saying that "the reform proposals of the Secretary of State and the Viceroy of India constitute an advance on present conditions both as regards the Government of India and the provincial governments and also a real and substantial step towards the progressive realization of 'responsible government' in the provinces."

The Moderates suggested some minor changes in the proposals and appointed a committee to elect a deputation to proceed to England in order to urge on British statesmen and the British public "the wisdom and necessity of supporting the Montagu-Chelmsford reform scheme."

On the other hand Tilak and Mrs. Besant also had decided to send their own Home Rule deputations to England to counter anti-Indian propaganda. Within a short period of three weeks, Tilak delivered lectures at about thirty places and collected Rs. 150,000 for the deputation. He travelled one thousand miles by car and an equal distance by railway. He always preferred to have small contributions from many to a big donation from one rich man: "I should like to have sixty-four pice from as many persons instead of one rupee from one."

CHAPTER LXII

MORE DANGEROUS IN INDIA THAN AT "HOME"

A PROPOSAL to send delegates to England to voice the views of the Congress and the Home Rule League on the question of reforms had been made by Tilak in 1917. It did not mature, however, owing to doubts as to how they would be received by the English people who were busy with the war. Early in the following year, the idea was revived, and Tilak's Home Rule League decided to send a delegation to England. Later, in February, the Congress committee also took a similar decision, and the two delegations, each consisting of five members, applied for passports. Tilak's party included, besides himself, R. P. Karandikar, N. G. Kelkar, G. S. Khaparde, and B. C. Pal. The Government of India thought it undesirable to refuse passports, but advisedly sent a telegraphic message to the Secretary of State for India (March 21) telling him that "there appears to be no doubt that these people will organise a Home Rule for India campaign in England involving allegations of British misrule causing poverty of India, attacks on Indian Government and officials, assertions that harsh and selfish attitude of the Government has checked loyal co-operation of India in war. It would be mistake to refuse passports from our point of view, but some of these people may have to be watched and possibly military or other authorities may regard their presence in England as objectionable or dangerous."

Meanwhile the passports were issued, and the two delegations started preparations to leave. On March 27, 1918, a mass meeting was held at Bombay to give a send off to Tilak and other members of the Home Rule Deputation. A women's meeting was also held which was largely attended. A number of them spoke in eulogistic terms of the services rendered by Tilak to the country. A still larger public meeting was held at Dana Bunder, in honour of the deputation.

In Madras, Tilak and other members of the Deputation were invited to a dinner party by Mrs. Besant. It was a grand show. Tables were laid out under a banyan tree which was

illuminated with "electric lights" and the whole scene wore a majestic look. Mrs. Besant, presiding at the function, sat at the middle of the long table. The first toast proposed by her was, as usual, that of the King Emperor, and it was drunk in the usual manner. She next proposed the toast of "Lokamanya Tilak and the Deputation".

The receptions accorded to him and his party in Bombay and Madras and the number of engagements he had to rush through spoke volumes for the peoples love and honour for him. The public meeting at which a joint address on behalf of the Home Rule League, the Mahajan Sabha, the Congress Committee, the Madras Presidency Association, and the Andhra People's Union was presented, was unique in two respects; first, as to the number that attended it, which, according to an official estimate, was about 50,000, and secondly, the nature of the occasion. His visit marked a landmark in the history of political activity in Madras Presidency. (According to an official version, "it was a triumphant entry into the city of Madras inasmuch as those few of the Moderates who were still wavering came to his side. To the Home Rulers, Tilak was the Prophet and the hero.") Replying to the address he said: "The grant of Home Rule to India is necessary as a War measure. It is in the interest of the Empire itself. The process of self-government should be completed in 15 years. England should be prepared to give India Home Rule or lose it altogether. Give us Home Rule and we shall help you in the war. Otherwise your empire is in danger." This was the first time that the suggestion was so boldly put forward from a public platform.

The Tilak Party arrived at Colombo by train from Talaimanar early in the morning of April 2, 1918. A crowd waited for them outside the station, but only 24 persons were allowed on the platform to receive them. As they alighted from the train, they were garlanded. The crowd outside greeted them by clapping their hands. The next day, in the afternoon, Tilak gave a lecture on "Buddhism and Hinduism". And the same day (April 3) the Government of India received a telegram from the Secretary of State informing it that on the motion of the General Staff, the War Cabinet had decided that passports of the Indian delegations should be refused in all cases. The telegram said: "The present time requires that whole energies of the civil population should be concentrated on work essential

to the prosecution of the war and not distracted by violent inflammatory propaganda. It would be necessary to have the closest continuous supervision over delegates and experience here and in Ireland has shown that the task cannot be discharged successfully by a police reduced to half its strength."

The authorities at Colombo and Gibraltar were, therefore, telegraphically asked to inform the members of the delegations that their passports had been cancelled and to advise them to return home. The Viceroy again referred the question to the Government in London on April 5, and issued orders that the delegation should be allowed to sail to Cape on clear understanding that they might have to return if the "Home Government" did not modify their orders. The position, he added, should be made clear to Tilak and the accompanying delegates. But before effect could be given to this order, the "Home Government" finally decided to cancel the passports.

The new development gave rise to considerable resentment in India. On April 8, a public meeting was held at Bombay under the presidentship of Jinnah, and it protested against the arbitrary order of the British Government. The resolution said: "It is unfair and impolitic to refuse facilities to the trusted delegates of the Indian people to represent their cause before the British public in the face of the insidious campaign against the policy of self-government for India now being carried on by their opponents." Jinnah said that the "Home Government" had "ears but no eyes".

The Bombay Branch of the Home Rule League, of which Jinnah was the president, also authorised him to represent the matter to the British Prime Minister. In his telegram, Jinnah stressed that, by refusing permission to allow the delegation headed by Tilak, the British Government had failed to realise the "unfortunate effects" it would have on public mind in India. "In view of the vigorous campaign led by Lord Sydenham and other influential persons against self-government for India now being carried on in England, they feel the emergent necessity that the representatives of the Indian national movement should be able to place their case directly before the electorate of the United Kingdom in whose hands the ultimate decision regarding the scheme of reforms now under consideration lies. I am, therefore, to urge once more upon the serious consideration of His Majesty's Govern-

ment the desirability of rescinding their orders."

On April 12, Tilak, who was stranded in Colombo, represented to the Viceroy that his visit to England was on personal grounds also. In his telegram he said: "Deputation matter ends here. But I request to know if this prohibition applies to me personally and my legal adviser, Karandikar, proceeding with two servants Joshi and Namjoshi, not on or as deputation, but as party in my civil case against Sir Valentine Chirol under direction of London High Court. The case may come soon before that court for hearing which includes my examination. My immediate presence in London is therefore absolutely necessary. Otherwise my case is in danger of being disposed of."

The War Cabinet again considered the matter, and only re-affirmed its earlier decision. The question was raised in the House of Commons by Ramsay MacDonald, who was informed, in answer, of the War Cabinet's decision and told that passports would "only be issued where the journey is undertaken in the national interest." Tilak's representation in connection with his case was turned down on the ground that postponement would be granted on application.

The Anglo-Indian press, as a body, was against giving Tilak and his group any encouragement to carry their campaign to the British public, and when the passports had been granted in March, it began to write in a derogatory strain. Here is a sample from the *Pioneer*: "We do not think that the British public will be likely to display any interest in Indian politics for some time to come; and it may be regarded as tolerably certain that if Mr. Tilak talks in England in the same strain as in his recent speech at Bombay, he will meet with a cold, and, it may be, even an actively hostile reception that should speedily disillusion him. But to send a deputation charged with such a message as Mr. Tilak's in times like these is to court humiliation and disillusionment."

All attempts to persuade the authorities to let the delegation proceed on its journey having failed, the two delegates returned home. On April 24, Tilak, Mrs. Besant, and Jinnah issued a joint manifesto to the press, in which they said:

"Great Britain and India have been brought together and have lived side by side for 160 years. The union has brought both gain and loss to both, gain to India by being brought into contact with a liberty-loving and progressive Western nation,

gain to England by an immense increase of wealth and impetus to commerce, loss to India by the destruction of her power of self-defence and by her becoming a dependency instead of a member of warlike, wealthy independent states, loss to England by clouding of her principles in the adoption of autocracy and by consequent lowering of her status in the world's eyes. The Arms Act of 1878 completed India's subjection and helplessness, and in the moment of the Empire's needs, she finds herself in danger. We cannot ask young men to fight for principles, the application of which is denied to their own country. A subject race cannot fight for others with the heart and energy with which a free race can fight for the freedom of itself and others. Let India feel that she is fighting for her own freedom as well as for the commonwealth of free nations under the British Crown, and then we shall strain every nerve to stand by England to the last. Let not reactionary British politicians prevail at this moment and thus ruin the Empire. Trust us and we will not fail you."

The unseemly manner in which Tilak was prevented from proceeding to England, while he was already on his way, was construed by people in India as an insult to the great leader, and this fact added fuel to the anti-British tempo.

A belief had gone home that Tilak would return from England with something positive in his hands. Now, when his ship had been "scuttled", there was resentment all over the country. The situation was considered dangerous by the rulers at Delhi, and once again a communication was addressed to the British Government. The Delhi reaction, as summed up by a high officer, was: "I advocated a further representation to the Home Authorities in favour of Tilak at least being allowed to proceed on his journey on the ostensible ground of his suit against Chirol, although the real reason for my advocacy was concerned not for Tilak's interest but for the public tranquillity. This concern is the greater now and will be still more so if we decide on the immediate publication of the Rowlatt Committee's report. The situation has changed considerably in many respects since the prohibition order was passed. I think if Tilak were allowed to go home, he would in present conditions be little more than a pebble on the beach, and his supervision should entail minimum of labour on the part of Scotland Yard and the authorities. With these advantages, if we make a clear and frank exposition of the reasons

why we want to get Tilak out of the country and why he seems to us more dangerous here than at home, I feel that we should have a good chance of persuading the Home Authorities to let him proceed home, on the ostensible ground of giving him due facilities for prosecuting his suit against Chirol."

This time, the Government of India succeeded, and the Secretary of State permitted Tilak (June 8, 1918) on the following conditions: "that he comes for the sole purpose of action, timing his arrival by date fixed for the hearing which cannot be until after the vacation, and leaving as soon as the trial is over; that he confines himself strictly to his object and abstains from political agitation of any interest during his stay; and that no Home Rule or Congress delegate or other political supporter accompanies him."

When the conditions were communicated to Tilak, he was surprised and on June 19 wrote to the political secretary to the Government of Bombay: "I do not know who approached the War Cabinet on my behalf in England." He protested that while the British Government had not placed any restraint on Chirol's activities or movements, there was no reason why restrictions were imposed on him. His suit being for a political libel, he asked for a clearer definition of the words, "political agitation". He closed the letter with this observation: "I do not consider that the restrictions placed on my liberty by these conditions are just, equitable or necessary. My accepting these conditions can, therefore, be only under protest and as a matter of sheer necessity, and I do reserve to myself, if so advised, the right of again moving His Majesty's Government in this matter after my arrival in England."

Just a little earlier, Dr. Nair of the Justice Party of Madras —a party opposed to the Home Rule League—had been permitted to proceed to England, and Tilak said that he should not be discriminated against, when another political leader had been allowed to go without any conditions. Concluding he said: "However, after receiving from you the explanation asked for, and after taking the advice of my legal advisers, I shall be prepared, as a matter of necessity, to sign the conditions that may be finally settled."

The Government found itself in a quandary, and had no alternative but to say that Dr. Nair too would be prevented from taking part in any political activities in England. Tilak then accepted the conditions, but Government agreed that he

might, if he desired, make a further representation to the Government in London.

At long last, Tilak left for England on September 24, 1918, accompanied by R. P. Karandikar, Vasudev Rao Joshi, and G. M. Namjoshi.

CHAPTER LXIII

IN ENGLAND AT LAST

TILAK reached London at the end of October, and took up his quarters at No. 10, Howley Place, Maida Vale, a house taken for him by Sitaram Seth of Manchester and furnished at Tilak's expense. The housekeeper (an Irishwoman with two daughters who also worked in the house) was engaged by Baptista, who himself had a room in the house on the ground floor. The occupants of the house lived a very simple and frugal life; they went out about midday on work of different kinds, and returned about 5 P.M. From 5 to 8, visitors were generally received, and the household retired early.

With the three intimate companions who accompanied him Tilak felt quite at home in London. Karandikar, aged 60, was a High Court pleader of Satara and legal adviser to Tilak. Vasudev Joshi, from Poona, was connected with the Chitrashala, which printed Indian historical and mythological pictures. He was also the manager of the *Chitramaya Jagat* (Pictorial World) which was published in three languages, Marathi, Hindi and Gujerati. The object of his visit to England was to study there the most modern developments in illustrated printing, but he went largely as a personal companion for Tilak. He too was over 60 years of age. Namjoshi, also of Poona, was a much younger man, about 30. He was the son of an intimate friend and great admirer of Tilak, and acted in the capacity of bodyguard and personal attendant.

The first thing that Tilak did was to apply for cancellation of the conditions imposed on him during his stay in England. He succeeded, because Dr. Nair too had no restrictions placed on him.

The ground for his activities having already been prepared by Baptista, Tilak was able to start work at once. He opened a branch of his Home Rule League in Adelphi Terrace, contiguous to the premises of Mrs. Besant's League. It was also intended to serve as a centre or nucleus for the student element in Great Britain—a place at which the younger men could be trained and educated in politics of the extreme form.

Hitherto, in Tilak's opinion, there had not been a great amount of "outside sympathy" for the cause of India. This had been changed by the war, and the feeling created could, he considered, become a powerful factor in India's freedom, if skilfully worked upon. Besides, Tilak believed, much could be hoped for from a great Pan-Hindu-Buddhist propaganda initiated through the influence of the Bengal school of thought of Rabindranath Tagore. He was happy that, though for her own sake, Germany had, during the previous four years, spread a knowledge of India's cause and conditions. Practically every country in the world had experienced this German propaganda. All this could be utilised by India herself in any future campaign. Similarly, he hoped the feeling of the Mohammedan countries, Turkey, Egypt and Iran, could be taken into account. Then, in Tilak's view, all the returning labour battalions, the demobbed soldiers, the frontier tribes who had been fighting in England's employ, the prisoners from Germany, etc., from whatever front they came, would all *ipso facto* become organs of propaganda, in their respective provinces, districts, towns and villages.

But his immediate task was propaganda in England itself. From his own pen, we have a report of his early activities which he sent to Lajpat Rai:

"We arrived here at the end of October, and began our work in the first week of November. Some time was necessarily spent in examining how the land lay. Then came on the elections and the whole country was engaged in and busy with the electioneering campaign.

"We thought that the Labour Party would return at least a hundred members; but as you know it has only returned 63. All the leading Pacifists are defeated, including Ramsay MacDonald, Philip Snowden, Henderson, Lansbury and others. This was a great drawback. But on the whole the Labour Party has progressed and is now in the proud position of being entitled to form the opposition. On the other hand the coming Parliament will be pre-eminently a coalition Parliament, in which all that Lloyd George proposes will be carried out. The Liberals are nowhere.

"Under the circumstances, we were advised by our friends, and we also thought it reasonable, to secure the support of the Labour Party for our cause. Mr. Baptista has, since his arrival last year, been in touch with Mr. Lansbury and other

Labour leaders. This helped us a good deal, and by means of the Labour organisations throughout the country, we were able to distribute at the time of elections about ten lakhs of leaflets all over Great Britain and Ireland. There were four different kinds of leaflets published by us. The London branch of the Madras Home Rule League also circulated a memorandum to the candidates.

"The British Congress Committee at first intended to do nothing, but had eventually to send to the different candidates certain questions prepared by them. But this circulation was very limited. We have reported to the All-India Congress Committee the inefficiency of the British Congress Committee here, and are awaiting to see what action the Congress or the All-India Congress Committee take in the matter. Some of our time was wasted in negotiating with the Editor of *India,* Mr. Polak. Without going into details, we might say that the paper *India* is at present doing harm to our cause. The sooner it mends the better.

"But though the British Committee would not do anything, it was not advisable to wait till it was roused into work. We, therefore, published a pamphlet on *Self-Determination for India,* with two cartoons, and we have sent copies thereof to the Prime Minister, the Secretary of State, Sir S. P. Sinha, Maharaja of Bikaner, and to all members of the House of Commons and House of Lords, and others. We mean to have it circulated very largely and to follow it up by another pamphlet explaining and criticising the Montagu-Chelmsford scheme, and pointing out why and how it should be improved in accordance with the resolutions of the Special Congress Session at Bombay.

"We cannot go to the Peace Conference as members. We have, therefore, applied for passports to go to France to witness the proceedings of the Conference as spectators. If the passports are obtained, we mean to go to Paris and do what we can to have India's case represented before the Conference.

"We have not yet succeeded in getting access to the British press. Beyond the three articles of Mr. Baptista in the *Herald,* which is Mr. Lansbury's paper, and the telegrams of the Delhi Congress in *The Times,* there has not appeared anything of importance about India in the press.... *The Times* has published news about the Delhi Congress appointing Tilak, Gandhi and Hassan Imam as Congress delegates to the Peace

Conference."

The attitude of the British Committee of the Congress towards Tilak, especially of the editor of the *India*, was one of indifference, or rather, non-co-operation. It was with great difficulty that Tilak could secure admission to a meeting of the Committee. He was made to feel that he had little to do with the Congress. Tilak's representation to the All-India Congress Committee settled the matter, and that body authorised him and the Congress delegation to re-organise the Committee and its organ. Polak withdrew, and in his place Miss Normanton became editor. Tilak deputed Kelkar to guide her in her work. The constitution of the Committee was amended, and now only those persons were admitted as members who unreservedly agreed with the policy of the Indian National Congress. A number of persons who were quite out of tune with the new Congress had to resign. The Committee now was a rejuvenated, active body. For several years, Tilak had been feeling that in the changed set-up, the British Committee was doing harm to the cause of the country and that the money spent on it was wasted. In that little island of Indian politics in England, there was a storm in the tea cup, but the change-over to extremism was smooth. Knowing Tilak, the "fossilized" Moderates, submitted to the inevitable.

Tilak now opened a whirlwind campaign by means of speeches and writings. In them, one missed that downright condemnation of the British rule so characteristic of him. A student asked why he was so moderate in the expression of his political opinions, and why he had so suddenly changed. He replied that he had learnt by experience that nothing could be done without the possession of certain powers. To gain those powers was to gain Home Rule. The best line was to enlist the sympathies of the English and secure the certain support of the Labour Party.

But his speeches were full of historical facts, and in conclusion showed up the British rule in lurid light. Among the numerous speeches, he made was one at a meeting of the Britain and India Society on May 3, 1919. He was introduced to the audience by Colonel Wedgwood, who described him as "the most popular leader in India, one who in these days of democracy is fighting for the liberty of his countrymen," just as Wedgwood himself and his associates were doing in

England. Tilak's speech was in his usual vein. He commenced his discourse with a long historical review of India, going back to the periods before Christ. Coming to more recent times, he arrived at the formation of the "mighty force", the East India Company, the "inhuman practices" of which had become a byword in India. He dwelt at some length upon the malpractices of the Company—how they exploited the country to enrich themselves, and tortured and robbed and murdered the native artisans, at that time the finest skilled workmen in the world. He gave as instances the cutting off of the thumbs of the cotton spinners so that their products could not compete with English exports. The time had now come for the benefits of freedom and liberty to be accorded.

He said the Allies were enunciating the principles throughout the world, and that Great Britain should make the first start within her own Empire. He was called, he said, anti-British and a seditionist. It was true he was opposed to tyranny and oppression, but he was not hostile to British rule. He was as staunch a Britisher as anyone—in some respects a much better Britisher as he was putting into practice the teachings of English democracy and freedom. He was on the side of idealism too—the idealism that was being put forward as the ideal of the British nation. He hoped that all right-minded Britons and the British democracy would hearken to his appeal and would help him to achieve the emancipation of his country.

One day Tilak visited the British Museum, with the object of inspecting the Assyrian and Babylonian antiquities, a subject he proposed to study as soon as his case against Chirol was concluded. He was conducted round by the keeper of the Egyptian records, who furnished him with a list of suitable books to read and arranged for him to have a reader's ticket for the library. In the course of his tour of the galleries, Tilak made many caustic remarks upon the institution and the objects collected from every quarter of the globe. How the Persians and Babylonians robbed the Jews and the Egyptians of their antiquities during their era of conquest and supremacy; how they in their turn were robbed by the Greeks during the Alexandrian invasions. The Romans next took them from the Greeks to adorn their villas and gardens, and now "here they all are, hen-housed by the British in a building built at enormous expense, labelled and catalogued and

dignified by learned treatises and theories, elaborating the greatness and cultured civilization of the races of the past." "One day," concluded Tilak, "they will all be moved to India where they will be treated in the same manner as they are now."

During his stay, he also availed himself of the opportunity of appearing before the Joint Parliamentary Committee of the two Houses of Parliament, set up to consider the Government of India Bill. Again, he insisted that a time limit should be fixed in the statute for the attainment of full responsible government. He would wish, he said, to see officials deprived of the initiative for inaugurating large policies and reduced to the status of permanent servants as in Britain and other countries.

In the summer of 1919, some Moderates also went to England, and Tilak was afraid that the atmosphere created by him for Home Rule might be vitiated by them. In a letter he wrote to Lajpat Rai, he expressed his fears thus: "Moderate leaders like Samarth, Shastri and Surendra are very shortly expected here. I do not know what mischief they might make; but I shall try my best to reduce it to the minimum. The Congress position and attitude is being properly understood now in this country. Dr. Clark and Dr. Rutherford have been now converted to that view. Again the Irish and Egyptian questions have also been brought to a head, and the fears that if we do not accept the Montford Scheme, we shall get nothing are evidently baseless. Under the circumstances, we must all unite and stick to the Congress proposals, and if we do so there is every chance of the Montagu Scheme being improved. Colonel Wedgwood takes the same view and we are working under his supervision and guidance."

Tilak's stay in England caused no small amount of strain on the intelligence department of the British Government. His activities were very carefully watched. The Government of India had deputed its own staff which sent weekly reports on Tilak and his colleagues. They (the Tilak party) had neutralised, in a large measure, the effect of the Indo-British Association. They had made a number of labour leaders champions of the Indian cause. It was now certain that the impression left on the minds of intelligent and sympathetic Englishmen would not easily be altered by Indian Moderate arguments that self-government by stages was what India

wanted. Tilak put the direct question to the British audience —"When you acknowledge the intellectual powers of the Indians, their advance in science, literature and fine arts, how do you refuse them the right of self-government and how do you doubt their capacity to manage the affairs of the land of their birth?"

But in England also, as in India, Tilak was frowned upon by the ruling classes and reactionary elements in the public life. Even some businessmen were afraid to have business dealings with him. Early in October, 1919, he visited a firm of engine dealers, and ordered a semi-Diesel engine, which he required to drive his printing machine in Poona. The firm, Peters Limited and Vickers, booked the order, but made a reference to the Secretary of State for India. In the letter, the firm said: "Our object in writing to you is to enquire whether you know this gentleman, if he is the notorious Indian agitator or someone connected with him." There could obviously be little objection to a business transaction, and the Secretary of State's Office sent a dignified reply saying: "Mr. B. G. Tilak, whose particulars are given in your letter is the well-known Indian politician whose libel suit was recently before the High Court in this country."

Another firm, French Paperstock Company, Limited, news-print dealers, addressed a similar enquiry to the Secretary of State. "We have booked an order for 25 tons of newsprint in 26½" reels with Mr. B. G. Tilak, who gives his address as *Kesari* Office, Poona City, India. We understand from the newspapers that Mr. Tilak is a revolutionary and would require our paper for anti-British propaganda. Will you kindly inform us if this is so, as we do not wish to ship the paper without your permission." Again, the reply said: "There is no need of the permission of the Secretary of State for India for the supply of the paper ordered by Mr. Tilak. The *Kesari* is a weekly Marathi newspaper with a circulation of 30,000 copies, and the paper ordered would presumably be used for that journal."

After a year's stay in England, Tilak left that country on October 30, and reached Bombay on November 27, 1919. In his absence, many shocking events had taken place in India; Jallianwala Bagh had had a blood bath.

CHAPTER LXIV

PROPAGANDA IN AMERICA

TILAK was strongly in favour of Indian propaganda in the United States of America. He believed that the highly developed democratic ideals of that country rendered it a favourable field for operations. America would, he felt, find herself in opposition to the "machinations of England" and would resent the treatment of Indians by the British. Indians properly qualified by knowledge and experience should be sent to America to enlist the sympathy generally of the American people; political sympathy could thus gradually be sought and prominent politicians be approached, as had been done in the case of propaganda on behalf of Ireland.

Even before his departure for England (after his passport had been refused in April, 1918), Tilak wrote to M. Clemenceau, President of the Peace Conference (USA), saying: "It is unnecessary for me to dwell upon the imperative importance of solving the Indian question for purposes of ensuring the future peace of the world and the progress of the people of India. India is self-contained, harbours no designs upon the integrity of other states, and has no ambition outside India. With her vast area, enormous resources, and prodigious population, she may well aspire to be a leading power in Asia, if not in the world. She could, therefore, be a powerful steward of the League of Nations in the East for maintaining the peace of the world and the stability of the British Empire against all aggressors and disturbers of peace, whether in Asia or elsewhere."

Now the need was ever greater of concerted political propaganda in America, and therefore Lajpat Rai, with two lieutenants, N. S. Hardikar and K. D. Shastri, went to that country on behalf of the Home Rule League. A branch of the League was established at San Francisco with K. D. Bhosekar as its head. San Francisco had for several years been the storm centre of the activities of the Indian Ghadar Party, which carried on intensive propaganda for India, but whose functioning was later stopped by the US Government on account of its collaboration with Germany and its pre-

parations for a rebellion in India, with arms purchased in America. At any rate, San Francisco had a background and a history. Hardikar secured the support of practically all the Maratha students in America. Several of these were invited to write articles on the life of Tilak, the best of which being promised publication in the League's magazine, *Young India.* Money was regularly sent by Tilak for work in America.

The following extract from a letter to Tilak from N. S. Hardikar (who was now putting up at 1400 Broadway, New York) gives an idea of the work. It was sent on May 20, 1919. "Respectful greetings to the People's Champion, B. G. Tilak. From the 9th of February to the 6th of May, a period of 86 days, I travelled through 20 States of the Union. I gave 83 popular addresses, and arranged 25 different conferences. The conferences were held in ten States and 25 large cities, and were the result of 24 extensive tours. In the cities, the audiences ranged from 25 to 3,000. I sold 4,000 copies of 'Self Determination for India', and 1,500 copies of 'Get Together on India'. In all the cities I was received at the principal colleges, and by the chief newspaper proprietors. Going from one place to another to speak, I could only arrange conferences at 25 places, and had to refuse nine invitations."

In the brief report Lajpat Rai sent to Tilak, he said: "Dr. Hardikar has returned from his tour which was very successful from every point of view. He brought new members, established new branches, and secured also some funds. We have been issuing occasional bulletins to the United States press giving them a summary of what we put in the English press." Lajpat Rai also sent to Tilak a leaflet by Norman Thomas entitled "Rebellion in India". Norman Thomas was one of the speakers at an Irish revolutionary meeting held in New York on May 8, at which the Indian question was also discussed.

The Government of India was receiving reports, with much concern, that Tilak's scheme for a wide publicity campaign in America was producing tremendous effect. What worried them more was the association of Americans and some Englishmen with the Indian campaign. The Bombay Government and members of the Viceroy's Executive Council were perturbed over what they called the "slandering" anti-British propaganda which Indians and their friends were carrying

on in the obliging American press. The question of how to counter it was taken up at high level in Delhi, and a senior officer, Rushbrook Williams, was appointed to suggest measures. He took great pains in examining the material put out in the American press against the British rule, and suggested lecture tours and employment of some American journalists to write for the Government and of Christian Missionaries who had experience of Indian life and knowledge of the British administration. A member of the Vceroy's Executive Council said that he would go further and invite a party of American journalists to tour India as guests of the Government of India, but he stressed that care should be taken to invite representatives of only a really good class of newspapers.

The British authorities honestly believed that the American propaganda was really maligning the Indian administration and misrepresenting it. They believed that their irrigation projects, railways, and other beneficent works that they had carried out deserved praise, and that something should be done to put this aspect before the American public. They had faith in American missionaries who had worked in India, and seen the Indian administration at close quarters. They approached some of them. There was a favourable response. Contact was also established with certain individuals and representatives of a Christian society who were to visit India shortly. One of these was Talbot Mundy, president of the Anglo-American Society. Mundy was a well-known American magazine writer and novelist. He had travelled in India before and had written two novels dealing with Indian subjects, one of which was "Hira Singh" in which he described the adventures of some Sikh soldiers in the War. He was an admirer of the British administration in India. Another was a journalist, Joshua Wanhope, but before a contact was actually established, someone apprehended that he might be connected with Tilak's scheme of propaganda, and might be coming to meet him.

The Indian Government expected that the missionaries would be willing to give some return for the opportunities given to them in carrying out their educational work in India by giving an account of what they actually saw in India. They asked the American Young Men's Association to come forward and let their countrymen hear their view of the facts

as they saw them.

The Government of India, through the British embassy, sent to the American newspaper offices annual reports of the work done by the various departments. But these blue books did not advance their cause. It was then thought that arrangements should be made for the representation of one of the big American Newspaper Syndicates in India. But that too did not work.

However, anti-Home Rule propaganda, on the lines indicated above, was started with the co-operation of some Indian nationals. As compared to the Home Rule campaign, it was not much of a success.

CHAPTER LXV

TILAK vs. CHIROL (II)

EARLY in the summer of 1917, the carefully-guarded walls of secrecy behind which plans were being formulated for the defence of Chirol were pierced, and the fact became known not only to Tilak, but to a section of the nationalist press also. On April 23, Tilak addressed a "petition" to the Governor of Bombay in which he said: "I have filed a civil suit in the High Court of London, King's Bench Division, against Sir Valentine Chirol and another, for a libellous attack against me in a book entitled *Indian Unrest.* A Commission to examine witnesses in India on behalf of the defendants is shortly to be issued, and the defendants will have to keep ready their witnesses in Bombay. I now learn from a reliable source that some police authorities, ordinary or C.I.D., in Bombay, Poona, Nasik and possibly in other places are interfering and intermeddling in the affairs by calling certain persons who have previously given evidence in the Nasik trial and other cases and asking them whether and what evidence they would, if summoned by Sir Valentine Chirol, give. If this is true it seems to me to be an unwarrantable interference in a private case, an interference which is sure to prejudice me as plaintiff in that case. I beg, therefore, to invite prompt and immediate attention of Your Excellency's Government to this matter and request you to stop the Government officials from working in the way stated above. Government is not a party in the case, and it is clear abuse of power on the part of Government officials to assist Sir Valentine or his solicitors in the way they seem now to be doing."

On May 10, Government sent him a reply saying that Chirol's Bombay solicitors had applied for, and were allowed by Government, inspection and certified copies of certain documents, and that similar facilities would be granted him, if applied for. With regard to witnesses, the letter only said that a request had been made by the defendants' solicitors to put them in touch with witnesses who appeared in the cases named and that the Government had no objection in

rendering that help which it would do for the plaintiff as well if desired.

In a rejoinder, Tilak said that "the defendants' solicitors must have obviously selected the documents, the certified copies of which were required by them, only after first having a general inspection of all the documents bearing on the matter." He, therefore, asked for a general inspection of records relating to certain specific matters. This request was refused. Tilak expressed surprise at the course adopted by Chirol's solicitors—and permitted by Government—of not summoning the papers through a proper court.

Tilak then named certain specific documents which he desired to inspect. This too was not allowed. The Government, who had first hesitated, did produce some documents in the Court, but took care to see that only such documents were produced as were favourable to Chirol.

The *Bombay Chronicle*, which had already come out with a news-item revealing Government's partiality to Chirol, later published the whole correspondence that had passed between Tilak and Government. It created a sensation in the country, and for once Chirol and Government lost their case, so far as the judgment of the people was concerned.

Even before this storm burst out, high Government officers were running about and demi-official letters were being exchanged between them and the likely witnesses. Strict secrecy was maintained, as if the letters pertaining to the case related to a war strategy.

The judicial secretary of the Bombay Government entered into secret correspondence with several retired Civilians in England inducing them to give evidence for Chirol. In his letters to F. G. Selby, R. D. Prior, E. Giles, all retired officers of the Indian Educational Service, the judicial secretary plainly said, "It has been decided that Government should assist Sir V. Chirol as far as possible in substantiating his defence," and requested them to give evidence. They agreed, and the Government sent them certain papers to help them formulate their evidence. They were to depose that Tilak was instrumental in introducing politics into educational institutions. In the letter to Giles, the judicial secretary also stated, "In the course of your official duties, you had to take notice of the fact that masters and boys both in Government and private state-aided schools were being

drawn into political agitation of a seditious cast. This appeared most in the form of participation in the Shivaji and Ganapati movements, movements which were recognised as the instruments which Tilak was employing."

The Bombay Government also approached one Ganu Vaidya, through police officers, to be a witness for Chirol. This Ganu had on several occasions been a police witness and was considered very reliable by them. When the Commission was appointed to take evidence, a summons was sent to Ganu also, and pressure was brought upon him to say that Tilak encouraged murders and conspiracies. But this time Ganu refused to oblige the police, and he went to a friend of Tilak to say that he would not depose against Tilak even if the heavens fell upon him. And when he was confronted with the suggestion that by repeatedly appearing as a police witness, he had ruined the lives of so many political workers and now his word could hardly be relied upon, he said with tears in his eyes: "Believe me, I will not sin against Tilak Maharaj; I will sin against none. A new chapter now opens in my life." And when Ganu appeared before the Commission, he denied that Tilak had ever encouraged murder or conspiracy.

But the judicial secretary did not speak the whole truth when he said in his evidence, "I know the defendant since autumn of 1908. I believe he was then writing *Indian Unrest.* So far as I know no inspection was given to him by Government when he was writing the book."

After a long series of preliminary proceedings, the case came up for hearing before Justice Darling and a special jury on January 29, 1919, in London. Sir John Simon and E. F. Spence appeared for Tilak and Sir Edward Carson, who was the leader of the Ulsterite rebels, assisted by two others, for the defence.

The opening speech of Sir John occupied seven hours. The plaintiff was next called to the witness box and cross-examined by Sir Edward:

Sir Edward: "When did you last get out of prison?"

Tilak: "June, 1914."

Q. "Have you taken any proceedings in India to vindicate your character?"

A. "No".

Q. "Why did you come all the way to England to vindi-

cate your character?"

A. "Because the book is read all over the Empire and a decision of an English Court would have greater weight and be more effective in stopping the circulation of the book."

Q. "Do you remember being sentenced to six years' transportation?"

A. "Yes."

Sir Edward then read out a passage from the judgment of Justice Davar: "They are seething with sedition; they preach violence; they speak of murder with approval; and the cowardly and atrocious act of committing murder with bombs not only meets with your approval, but you hail the advent of the bomb into India as if something had come to India for its good."

Q. "Did the Judge say that?"

A. "Yes".

Q. "Was that the reason why you took no proceedings in India to vindicate your character?"

A. "No."

Q. "Can you point to any passage in Sir Valentine Chirol's book which is more severe than that?"

A. "I complain of being associated with murder."

The Counsel then asked Tilak to read a passage in which one of the men who were associated with the murder of Jackson in 1909 said his mind was influenced by a certain book. The book was reviewed in the *Kesari*, but Tilak said that he did not write the review himself. It was a life of Mazzini and the Marathi translation was dedicated to Tilak. Many people, Tilak said, dedicated books to him without his knowledge.

Q. "Do you see that the murderer says that it was by reading that book that his mind was prepared for the murder?"

A. "He may have said that."

Q. "Do you think that he committed a murder?"

A. "I heard that he had committed a murder. I do not know. I was in jail."

Q. "Do you call it murder?"

A. "I should certainly call it murder."

Q. "Did you not advocate resistance to the law?"

A. "If you don't like a law, you must resist it in order to get it altered. The penalty for resistance is punishment. That is called Passive Resistance."

At this stage, Sir Edward read out some extracts from the *Kesari* and asked whether it was true that resistance to the Government was advocated.

A. "No; it was resistance to the Government officials; I draw a distinction between them."

Q. "Government consists of officials, does not it?"

A. "A house consists of rooms but a room does not mean a house." (Laughter.)

Q. "Was not Mr. Kingsford the man whom it was intended to kill when two ladies with their coachman were murdered?"

A. "Yes; I believe so."

The defence counsel then read out certain extracts from the *Kesari* and interpreted them as producing results like the murder of the two ladies. Tilak denied the suggestion, saying the *Kesari* was not even printed in the language spoken in the territory in which the murders were committed and that his paper did not circulate there.

There was again a barrage of questions:

Q. "*The Times of India* had said that your newspaper brought about the murder of Mr. Rand. Had not it?"

A. "Yes".

Q. "Why didn't you bring action against the newspaper?"

A. "I went to Bombay for the purpose, but I was arrested on the same day, so I couldn't do anything."

Q. "Why did you not take proceedings when you came out of prison?"

A. "I did and received an apology from the paper." Intervening in the cross-examination, the Judge put these questions to Tilak:

Q. "Supposing there was an oppressed minority under Swaraj, would they be right in throwing bombs?"

A. "No man has a right to throw bombs."

Q. "Was it your opinion that it was the oppression of the administration of Mr. Rand during the plague in Poona that led to his murder."

A. "I think that the measures adopted and their harshness led to the murder."

Q. "Did you say in your newspaper that in the search of the houses, great tyranny was practised by the soldiers?"

A. "I did."

Q. "Did you say that they entered the temples, brought

out the women from their houses, broke idols and burnt holy books?"

A. "I mentioned these facts. They are facts."

Q. "Was it your opinion that Mr. Rand was more than a tyrant?"

A. "I said that his measures were tyrannical."

Q. "Did you say that he was guilty of callous cruelty?"

A. "Yes."

Q. "Yet you say that your writings had nothing to do with his murder?"

A. "The facts, not my doctrines led to the murder."

Later, Sir Edward Carson quoted a passage which said that death could not be avoided. He asked the meaning of that passage, and Tilak said that it was a quotation from a religious book which meant that man was mortal.

Judge. "What was the best thing Shivaji ever did?"

Tilak. "He founded the Hindu Empire."

Q. "Did he do it by killing Afzal Khan?"

A. "That was one of the acts."

Q. "Could he have done it without?"

A. "I cannot say that. Supposing we have a festival of Cromwell here, that does not mean we go on killing kings of England."

Referring to a speech delivered by Tilak at the Shivaji festival in 1897, Sir Edward asked the witness what he meant by saying that great men were above the common principles of morality. Tilak replied that day-to-day standards of morality could not be applied to the superman.

Q. "Do you apply that doctrine to the Kaiser?"

A. "No. He was moved by an ambition to rule the whole world, which was wrong."

Asked to explain why an article in the form of an exhortation by Shivaji had the Bhavani sword mark appended to it, the witness said Shivaji could not write and was accustomed to make his mark in the form of a sword.

Judge. "It appears to have been his trade-mark."

In reply to a question from Sir Edward, Tilak said that he advocated in his paper that children should be taught Swadeshi.

Q. "Did you advocate that children should burn everything?"

A. "There was a bonfire and I said, 'You had better commence your vow by sacrificing something.'"

Q. "Was this to promote anti-British feelings?"
A. "No".
Q. "Were the things burnt things which you could have produced in India?"
A. "Yes, they were produced on a large scale."
Q. "Did you do this to promote home industries?"
A. "Yes, a kind of protection for home industries."
Q. "Was there anything political in it?"
A. "Not until 1905."
Q. "Why was it made political?"
A. "To bring pressure on the British Government."

Sir Edward then referred to education in Swadeshi and the witness said that the Governor-General declared on June 14, 1910, that one of the schools was an unlawful institution.

Q. "Was that kept by a friend of yours?"
A. "An acquaintance."
Q. "Was that man convicted afterwards?"
A. "Yes, of sedition."
Q. "Is he still a friend of yours?"
A. "He is still an acquaintance."
Q. "Most of your friends seem to have been convicted."
A. "No; there are still some who have not been."

Sir Edward suggested that some of the men associated with the murder of Jackson were Tilak's friends and asked whether one of them (Paranjpye) was still in his employment. Tilak said: "I think he is. I don't know. I am here." And as if the defence counsel had an opportunity to hit, he told Tilak—"Don't be ashamed of him." And Tilak made a similar retort: "I am not ashamed of him. When members who have been convicted sit in Parliament why should I be ashamed?" (Laughter.)

Sir Edward now began his arguments for the defence. It was another broadside. "A man," he said opening his case, "who had been twice convicted of sedition, what character had he to vindicate? During the plague at Poona, Mr. Rand had to risk his life daily on behalf of the afflicted natives. His reward was that he met his death at the hands of an assassin and it was a fair inference that the murder was attributable to Mr. Tilak's utterances in the *Kesari* and the *Mahratta*. He denounced Mr. Rand as a 'sullen, suspicious tyrant', and even made the horrible accusation that Mr. Rand deliberately segregated people who were not suffering from

plague in order to keep up the figure. British soldiers, who were risking their lives at 1s. a day as voluntary sanitary workers, were held up as inhuman beings who would take advantage of the plague to commit petty thefts and break idols." Sir Edward added: "The whole tenor of Mr. Tilak's article could be summarised thus: 'Murder is right in certain circumstances. It can be apologised for. Shivaji was right in murdering Afzal Khan because Afzal Khan was an oppressor. So long as we don't murder from selfish motives, we are justified. Have we no Shivaji now? Murder in such circumstances is no murder.' Is it a wonder that a murder ensued?"

Tilak's case was argued by his counsel, Sir John Simon, thus: the question was not whether the plaintiff was a person who had, time and again, published seditious articles or whether his strong, violent and unrestrained criticism of Government officials was justified, nor was it a question whether Mr. Tilak was a friend of Paranjpye and others. The question was whether Sir Valentine Chirol's book contained matter defamatory to the plaintiff. At the 1897 trial, both the Advocate-General and the trying Judge expressly disclaimed any connection between the articles and the murder. Regarding the murder of Jackson, not a single denunciation of Jackson by Tilak was produced. As to the other libels, not a scrap of evidence had been given in the case. Sir John appealed to the jury that consideration of colour or race or creed or religion should not come in the way of Tilak getting unfailing justice.

The Judge, summing up, observed that it was urged that Tilak was guilty only of sedition, but what was worse than sedition was high treason. How long a step was it from the articles "seething with sedition" to the overt act which was necessary to constitute high treason? Tilak reminded him, the Judge said, of the story in Aesop of the enemy trumpeter who begged the soldier to spare him on the ground that he was a non-combatant. The soldier refused on the ground that without the trumpeter's summons the enemy soldiers would not have advanced. It was true that Tilak had not singled out Jackson as he had singled out Rand for denunciation, but it was enough that he had created the atmosphere for the crime by stirring up hatred of officials generally. Was it unjust to say that he was the real author of the crime

just as Fagin was the real author of the crimes committed by his pupils?

Concluding, the Judge said that he did not think that he had ever tried a more serious case having regard to its possible public consequences. He would not submit the alleged libel to the jury in snippets, but as a whole. If they found that in any part of it, the defendants had failed to make good their plea of justification, they could find for the plaintiff and award damages accordingly.

It was February 21, 1919, the eleventh day of the proceedings. The jury retired at 5.50 P.M., and after a deliberation of 25 minutes returned a verdict for the defendants. Judgment was entered accordingly with costs.

Tilak lost the case, and everybody in India was surprised. Tilak's failure to get a favourable decision was attributed to 'partisanship of the English Judge'. A public meeting was held at Bombay on May 31, to record an appreciation of Tilak's services to the country and to appeal for funds for the Tilak purse in order to enable him to pay costs to Chirol. Among those who spoke at the meeting were Gandhi and Mrs. Naidu. All said that Tilak had fought the case in the interest of his country and not for personal ends. All adopted almost a pitying attitude towards the limitations of the court which tried the case, and ascribed the result to these limitations. Gandhi gave them the lead by saying that the verdict in a court of law depended on several factors such as the personality of the Judge, the powers of the Counsel and the place of trial. The longest purse generally won.

Gandhi proposed the following resolution emphasising that it was duty and not charity to help Tilak: "That this meeting puts on record its appreciation of the selfless and devoted services rendered by Lokamanya Tilak to the motherland during the last 40 years of his life, and calls upon his countrymen generously to contribute to the Tilak Purse Fund, started with the object of defraying the expenses incurred by him in the prosecution of a case which was undertaken by him purely in the public interest."

Tilak received the adverse judgment with equanimity and philosophical detachment, and gave solace to those who were shocked at the result of the case. In a letter he wrote to Khaparde from London, on March 27, he said: "I have received your kind letter of 24th February last and was rather

surprised to find that the result of the case dejected you so much. Well we must take our reverses calmly. There is no help. It was a game. If we had succeeded, it would have given us some advantage, not in private life, but in our public contest with the bureaucracy. We have failed, not through any fault or mistake of ours, but through the incapacity of the British Judge and jury to distinguish between private character and political opinions of a man. But this is, on its face, an eye-opener to our people; and let us now utilise it as such. So you see that any way we gain, provided we are not disheartened.

"They do not advise us to appeal and for good reason too. The appeal court here does not decide—it has not the power to decide—a case on evidence. They are usually unwilling, therefore, to reverse a unanimous verdict of the jury; and there is just only 20 per cent chance of our appeal being successful. But supposing we succeeded in appeal, what next? The case will be sent for retrial at the best; and there is no chance of getting a better jury now. So you will see that it is no use throwing good money after bad. Already we have lost heavily and I think I shall have to appeal for help in order to get out of bankruptcy caused by the present verdict; and I have no mind to incur further risks."

Reference here to an interesting episode of that period will not be out of place. While the Chirol case was going on, Sir Verney Lovett, then in the service of the Government of India, produced a book which he named *A History of the Indian Nationalist Movement*. He submitted the manuscript to the Government for approval, and, in the covering note, pointed out: "My remarks about Tilak and Mrs. Besant will certainly be strongly resented and may lead to some litigation, although I will carefully guard against this. Still, these people should be known for what they are or the work will suffer in value. And I am a poor man and cannot afford any litigation whatever. By removing the passages about Tilak and Mrs. Besant I can remove all danger of litigation." The Viceroy liked the book, and members of his Executive Council found it useful as giving the Government side of the "case". One of them even suggested: "Surely more could be said of Tilak, Aurobindo Ghose and the 'Yugantar' for instance. A list of revolutionary crimes committed would also be useful as an appendix." Another sugestion made was

that the book might not bear the author's name. Sir Verney wanted the book to appear under his name but that the Government should stand all risks of litigation. Eventually, the book was thoroughly revised and published in England. It was distributed among Government officers throughout India.

CHAPTER LXVI

THE NEUTRAL WHO DOMINATED THE AMRITSAR CONGRESS

WHILE on his way to England, Tilak was elected president of the Delhi Congress (1918), but on account of his prolonged stay abroad, the year's presidentship went to Madan Mohan Malaviya. Nevertheless, it was Tilak's extremism which dominated the session, and the resolution passed on self-government was a distinct departure in the history of the Congress.

It said that, in view of the pronouncements of President Wilson, Lloyd George and other statesmen to the effect that in order to ensure the future peace of the world the principle of self-determination should be applied to all progressive nations, that principle should be applied to India as well. The resolution further demanded repeal of all laws which conferred on the executive unrestricted powers to arrest, detain, extern or imprison any person outside the process of ordinary civil or criminal law, and also that complete responsible government should be established at an early date.

The War having already ended, the Congress also asked the British Government that India should be represented by elected representatives "to the same extent as the self-governing dominions at any conference that may be held to deliberate on or settle the terms of peace or reconstruction." The Congress appointed Tilak, Gandhi and Hasan Imam as the representatives of the country.

This resolution was very significant. The future of Turkey, a defeated party, was to be discussed at a conference of the Allies, and India being one of them it was anxious to have a free say in a matter in which the entire Muslim population of the country was vitally interested. But the British had no intention yet to grant self-government to India, and therefore the resolution was ignored. As if to add insult to injury, the Government gave the country two extraordinary laws—the Indian Criminal Law (Amendment) Act and the Criminal Law (Emergency Powers) Act—incorporating the recommendations of the Rowlatt Committee. These were

followed by earth-shaking events in India—the Jallianwala Bagh massacre, martial law in the Punjab, country-wide hartal, arrest and prosecution of thousands of men, women and children. Gandhi's satyagraha against the Black Laws had kindled the fire of resentment throughout the country. Tilak was sorry that at such a crucial time in the history of India, he was away from his post of duty. On his arrival in Bombay, he said: "I wish I had been here when Gandhi began satyagraha. I would have borne difficulties with him and undergone the hardship. I am angry with Gandhi for that."

In Bombay, Tilak was given a public reception. The cloth markets and the share bazars were closed in his honour, and large crowds gathered in the evening to hear the great leader. He threw out a few mysterious hints at the meeting in regard to the importance of certain written promises he had in his possession. Five days later, the *Kesari* (December 2, 1919) wrote that Tilak had got a written assurance from President Wilson that the principles of self-determination would be applied to India in due course.

In due course! There was a snag in these words, and therefore the Reforms of 1919 were not surprising if they fell far short of Indian expectations. On the eve of the Congress, on December 24, the King's announcement on the reforms was made. For the time being that was the last word and, take it or leave it, the choice rested with Indian leaders.

Among the top leaders of the Congress opinion was sharply divided. Gandhi felt that a resolution "not rejecting, but accepting the reforms was the correct thing." C. R. Das, on the other hand, held firmly to the view that the reforms ought to be rejected as wholly inadequate and unsatisfactory. Tilak too, quite naturally, was thoroughly dissatisfied, but his policy, as unreservedly given expression to several times, was that they should "accept whatever is given and fight for more". But on the Congress platform, he was more or less neutral, and decided to throw in his weight on the side of any resolution that C. R. Das might approve.

During the session there was measuring of strength between the rapidly vanishing old guard of politicians, whose ranks were slightly strengthened by Mrs. Besant's accession to them, and the nationalists. But the resolution on the reforms, as placed before the Congress and as approved by the Subjects

Committee, was Das's draft, which said:

"This Congress reiterates its declaration of last year that India is fit for full responsible government and repudiates all assumptions and assertions to the contrary wherever made, and adheres to the resolutions passed at the Delhi Congress and is of opinion that the Reforms Act is inadequate, unsatisfactory and disappointing."

Gandhi did not like the word "disappointing", and was for its deletion. His reason was this. "If a man comes to me and disappoints me, I do not co-operate with him. If I get a sour loaf which has not sufficient condiments in it, I shall use it, I shall add condiments to it and shall take a bit [of it]."

Tilak's argument was that the reforms were really disappointing and must be described as such. He said, speaking on the resolution of Das: "We do not accept the Reforms Act. We are not satisfied with it. The Act says that after ten years the operation of the Act will be reviewed and some other steps may be taken. We do not want to wait for ten years. We want to continue our agitation for full responsible government and shall not be satisfied with the few crumbs thrown to us in order to satisfy our hunger for the time being. Our hunger is not satisfied. We are not going to be content with the single morsel which has been given to us. We are fit to have full responsible government just now. And if we are fit just now, why should we wait for ten years? [Hear, hear.]. We will work the Act for the purpose of securing full responsible government [Hear, hear]."

He said that England should not go back upon the principle of self-determination, and read out, in the course of his speech, a resolution which had been passed at a mass meeting of British citizens in London, while he was there. The resolution said: "This meeting of the British Citizens, holding that the existence of the British Commonwealth is dependent upon a right of self-determination being conferred on such of the nations within its boundary, hereby declares that the Indian people are entitled to receive at the earliest opportunity the full right of self-determination."

Tilak's intention in condemning the reforms and yet asking the country to work them was that people should know their real nature and should not relax the agitation for full responsible government. The Congress, therefore, passed another resolution which proposed a propaganda mission to be estab-

lished in England and elsewhere, and appointed a committee with Tilak as its convener, to collect the necessary funds and to select the personnel of the Mission.

At the Amritsar Congress, Tilak spoke thrice on three different resolutions, and each time he rose to speak he was hailed with loud cries of "Tilak Maharaj ki jai" and "Bande Mataram". Earlier when he, accompanied by his associates, entered the pandal, the vast assembly rose as one man to greet him. Many walked up to the dais and bowed to him. And when the chairman of the reception committee, Shradhanand, made a reference to Tilak, there was again prolonged applause. Shradhanand said: "Maharaj Tilak occupies an exalted position among the pioneers of political work, who were the first to preach the doctrine of political unity. What other hero has suffered so much in the service of the motherland as this illustrious person has done? Will not the soldiers constituting the army for the service of the motherland bow down before the mandate of this weather-beaten General?"

This was the last Congress Tilak attended. He was at the zenith of his popularity; his word was law at the Congress session. Who knew that seven months later this "General" would be no more. Up to the last session of his life, he suffered restriction of freedom in one way or another. While leaving for Amritsar to attend the Congress, he sent the following telegram to the Home Member of the Government of India: "Punjab internment order against me being withdrawn, I am necessarily passing through Delhi on 25th instant en route to Amritsar. Please arrange that Delhi Commissioner's externment order against me dated February 16, 1917, does not stand in the way."

In the official files, the Chief Commissioner's order had been withdrawn a few days before the receipt of this telegram, but Tilak did not know this fact, and no reply was sent by the Home Member to Tilak's telegram. It was on his way to Delhi that he unofficially came to know that the ban had been lifted.

CHAPTER LXVII

THE LAST BATTLE

THE year 1920 began with intensive political activity in two different directions. The decision of the Allies on the treaty terms offered to Turkey was received with considerable resentment by large sections of Indians. The Turkish question, Gandhi declared, was not the concern of Muslims alone but of the entire country. It reminded every Indian of his helplessness, for, if India were a free country, it would have, as one sitting at the peace conference, done its best to secure better terms for Turkey. The country, particularly the Muslims, felt that England did not use its good offices in favour of Turkey. Another question which was topmost in Gandhi's mind was the Punjab massacre. His and the country's grievance was that the Government had done nothing to assuage public feeling; the guilty officers were not punished. Gandhi was preparing the country for a satyagraha movement over these two questions.

Tilak's line of approach was different. While not oblivious of the iniquitous terms sought to be imposed on Turkey and the inhuman atrocities perpetrated in the Punjab, he wanted to absorb all the energies roused over these episodes and direct them in the path opened out by the Reforms Act. Gandhi, who made a strong appeal at the Amritsar Congress for deletion of the word "disappointing", was now indifferent to the working of reforms. But Tilak, who had indicated a two-item programme—working of reforms and agitation for full responsible government—started work on the first in right earnest.

The Congress had approved of the Council Entry Programme, but had taken no steps for the elections to be contested on its behalf. Tilak and his friends, therefore, established a new party called the Congress Democratic Party, whose function was to organize the elections, to carry on election propaganda, select and set up candidates and collect funds. Tilak prepared an election manifesto in which he stated his party's aims.

"The Congress Democratic Party, as the name denotes, is

a party animated by feelings of unswerving loyalty to the Congress and faith in democracy. It believes in the potency of democratic doctrines for the solution of Indian problems, and regards the extension of education and political franchise as two of its best weapons. It advocates the removal of all civic, secular, or social disabilities based on caste or custom. It believes in religious toleration, the sacredness of one's religion to oneself and the right and duty of the state to protect it against aggression. This party supports the claim of the Muslims for the solution of the Khilafat question according to Muslim dogmas and beliefs and the tenets of the Koran.

"This Party believes in the integration or federation of India in the British Commonwealth for the advancement of the cause of humanity and the brotherhood of mankind, but demands autonomy for India and equal status as a sister state with every partner in the British Commonwealth, including Great Britain. It insists upon equal citizenship for the Indians throughout the Commonwealth and effective retaliation whenever it is denied. It welcomes the League of Nations as an instrument for enforcing the peace of the world, the integrity of states, the freedom and honour of nations and nationalities, and for ending the exploitation of one country by another."

Other parties were also now trying to revitalise themselves. They were exploiting all possible avenues to make themselves popular. The so-called "untouchables" too had now got representation, and it had become necessary to woo them. In the spring of 1920, the Liberal Conference adopted a resolution urging abolition of untouchability. The Conference also announced itself as the well-wisher of the peasantry and advocated extinction of the hereditary *watans* of *kulkarnis*. A few days later, the extremist-ridden Poona District Conference also met. A party of Moderates (according to the *Kesari* dated March 9, 1920), attempted to wreck the Conference, but, failing to do so, satisfied itself by holding a counter-demonstration in the vicinity of the Conference. The Moderates noisily "heaped abuses on Tilak and his Party. They also had a handbill distributed which was printed at the Government press."

Addressing the District Conference, Tilak, as usual, declared they he would rejoice if all political power was conferred

upon the non-Brahmans alone. But the leaders of various sectional interests were pitching their demands too high and were in no mood to yield an inch of ground. For weeks together, they carried on negotiations about the seats each community should get in the reformed Legislative Council. A mutual agreement could not be reached, and an officially sponsored conference was held at the Council House to fix the quota of reserved seats. There was such strong division of opinion at the conference over the question of reserving seats for Marathas and allied castes that the conference was dissolved without reaching a decision, and the Government took upon itself the responsibility of giving an award.

The principle of communal representation was characterised by the *Mahratta* and the *Kesari* as the "fruit of the wicked desire of the Government to split up the council as much as possible." The papers added: "This is the natural outcome of the hair-splitting tendency of the Government over the delusive idea of protecting the interests of the backward and the depressed classes. The political importance of the high-class Marathas whose ancestors in former times took the lead in establishing Swarajya is admitted by all, and it would not at all be wrong to so arrange matters that a few of their representatives should necessarily find a place in the Council. But if the Marathas demand that in addition to reserving seats for them and the allied castes in proportion to their numbers, they should also be allowed to capture additional seats by the strength of their vote, it would not be strange if it fails to find united support. If the Marathas should have seats reserved for them according to their number, why should not the other backward classes be similarly treated?"

These suggestions drew caustic comments from the Moderate press which said that Tilak's declaration at the conference widely differed from the views expressed by his papers. As the election campaign gained momentum, there were repeated clashes between Tilak and the Moderates. The Extremists were fighting the elections by denouncing the Reforms, while the Moderates applauded the reforms as a boon granted by the British to the Indians. Tilak stressed one point in his speeches: "The National Congress alone is competent to determine what is good for the nation. The Amritsar Congress has indicated the direction which is to lead to national welfare and the electors must accept its guidance. The

Moderates who do not recognize the Congress and who have seceded from it have no business to mislead the people in its name during the elections."

In failing health—he was now a dying man—Tilak convened district and provincial conferences and addressed many meetings to carry the message of his new party from door to door.

On the other side of the political arena, the Khilafat question was coming more and more to the fore. On May 28, the Khilafat Committee met in Bombay to deliberate upon Gandhi's non-cooperation programme and adopted it as the only means now left to the Muslims.

Two days later, a meeting of the A.-I.C.C. was held at Banaras. The Punjab atrocities and the deficiencies of the Reforms Act were added to the Khilafat demand. Gandhi proposed that as a protest against the Turkish peace treaty and the Punjab affairs; the Congress should recommend a programme of non-cooperation to the country without further delay.

The A-I.C.C. considered that it was not within its competence to accept this proposition as it was opposed to the resolution of the Amritsar Congress relating to the reform scheme. It did not at the same time think it right to dispose of the matter, without giving the country an opportunity of pronouncing its judgment on it. It resolved unanimously to hold a special session of the Congress in Calcutta later in the year to consider Gandhi's programme.

Though Tilak passed through Banaras at that time, he did not attend the A-I.C.C. meeting, for his heart was not wholly in the Khilafat agitation. But he said that he would obey the decision of the Congress. According to Gandhi, Tilak's attitude towards non-cooperation was: "I like the programme well enough but I have my doubts as to the country being with us in the self-denying ordinance which non-cooperation presents to the people. I will do nothing to hinder the progress of the non-cooperation movement. I wish you every success, and if you gain the popular ear, you will find in me an enthusiastic supporter."

People repeatedly asked, "What is Tilak's attitude to the projected non-cooperation movement?" and he told them: "My idea is that the Muslims themselves should take the initiative in the matter. After full discussion, they must come to a definite decision and it is for the Hindus to sup-

port them in whatever decision they would arrive at." He assured Shaukat Ali that if the Muslims offered non-cooperation, his party and the Hindus would certainly follow them. Tilak had no final views on the details of non-cooperation including boycott of councils, but when Gandhi and Shaukat Ali visited him in Bombay, he said that if the Muslims boycotted the Councils, he and his party would follow suit.

The position which Tilak occupied in 1920 was the most enviable that any politician had occupied in India. Alone, he represented not merely the youngest but the oldest generation living. He was chosen for the Presidentship of the year's Congress.

Gandhi did not consider it advisable to postpone his non-cooperation movement any more, and on July 28 announced that the movement would be inaugurated on August 1. And, as if Destiny had now stepped in to mould events, on that day Death removed Tilak from the stage, leaving the leadership of the country to Gandhi.

CHAPTER LXVIII

A RETROSPECT

TILAK was dark for a Maratha, had an Aryan nose, and very remarkable and brilliant eyes. The dark red turban that he used to wear set off his complexion admirably. He was not an orator. He had a rather husky voice which he could not raise to a very high pitch. But he spoke very impressively. His speeches were, like the featureless Brahman, self-luminous, straightforward, lucid, never turning aside from the point which they meant to stress.

Sometimes his utterances baffled those to whom his name was anathema, and who were never prepared to believe that he had a progressive outlook on social questions. As far back as 1907, he surprised the social reformers by declaring at the Ganpati festival meeting that the idea of superior and inferior castes was foreign to the Hindu religion, and added that he had the highest authority for saying that superiority of one caste over another was not indicated in the sacred books, and that gradation of castes was not supported by the Vedic texts. The prevailing ideas of social inequality, he emphasised, were working immense evil and would, if not checked, involve Hindus in ruin, and it was for them to avert this danger.

Simple and frugal in his habits, avoiding demonstrations but surrounded by them in spite of himself, he led a life of turmoil and cataclysm, often warring against the Government, now battling with his political opponents, now fighting his erstwhile political allies. His life was a succession of rebuffs, from one point of view.

Even when in difficulty, he kept the serenity of his mind so as to pursue his ordinary avocations without detriment. In his darkest hours when expressions of hope from others were only likely to sound as hollow mockery, he not only maintained his cheerfulness but proved a source of inspiration to others. He could command detachment of mind even amidst deep anxieties. Even calamities, like the deaths of his eldest son and wife, could not disturb his composure.

Himself a great Sanskrit scholar, he wrote and spoke and

asked others to speak in the mother-tongue. He taught his lieutenants how they should speak to the masses. He formed a new style in Marathi journalism, and most of the contemporary Marathi journals adopted it. He coined many equivalents for English political terms. Most of those words are now current coin even in Hindi. (For example the word "naukarshai" for "bureaucracy" was his contribution to the Marathi and Hindi dictionaries.) A versatile man, he applied his mind to the casting of a new kind of Marathi type with a view to adapting it to a Marathi Lino-type machine.

He learnt his journalism from the Bengal school of Extremists, particularly from the founder-editor of the *Amrita Bazar Patrika,* Sisir Kumar Ghose, whom he acknowledged as his guru. "I have learnt many lessons sitting at his feet," he would say. "I revered him as my father, and I venture to say that he, in return, loved me as his son. I have distinct recollections of what he told me of his experiences as a journalist, with tears in his eyes and a sympathy in his words."

It may seem paradoxical to many that he was an apostle of Hindu-Muslim unity and a friend of Muslims. C. R. Das has recorded an interesting anecdote which shows Tilak's ready wit and liberality of mind. "In 1906, when the Congress was held in Calcutta, the Lokamanya and many of my Maharashtra friends were my guests. One day during his visit, a gentleman from Lucknow came to see him. I was present. This gentleman was a Moderate in politics and began to speak somewhat angrily. He accused Lokamanya of creating dissensions in the Congress camp and said, 'Do you know what the Mahommedans are doing? They are combining against the Hindus and trying to start a Pan-Islamic movement.' Lokamanya's eyes glistened. He said, 'Are you sure?' 'Sure? I am as sure as I am here talking to you. I have seen some of the letters. Whilst you are dividing the Hindus, the Mahommedans are uniting to crush us.' To my surprise, Lokamanya said with a smile, which it is impossible for me to describe. 'Then, is our deliverance at hand? Don't you see the moment the Mohammedans combine, that moment the Government will be at them? The moment the Government is at them, that very moment they will unite with us.' "

Subsequent events amply showed how prophetic these words were. With the true sagacity of a leader he could

foresee the shape of things to come. Verily, the Muslims, united under the banner of the Muslim League, courted the displeasure of the Government. Then they stretched out their hand of friendship towards the Congress and offered to work in co-operation with Hindus. And ten years after Tilak uttered his dictum at Calcutta, it was he who drafted the terms of the Congress-League compact, to be precise, the charter of Hindu-Muslim unity.

He was a constitutional agitator, but in India the British had not seen an agitator like him, and so inimical were they towards him that they repeatedly attempted to associate him with violent activities. Even the Rowlatt Committee, which was appointed to suggest measures to deal with political "crimes", cast unwarranted aspersions on him. He never turned his back on an attack, and served a notice on the Government of India asking them to withdraw the allegations made against him in the Rowlatt Committee report and to express regret. The notice said that when the evidence on the Commission issued in the Chirol case was being recorded in Bombay, Tilak applied to the Bombay Government for the production of certain papers with a view to disprove the allegations made against him, but the Bombay Government declined to produce them, contending that they were privileged and confidential documents. But, the notice added, most of these papers were placed before the Rowlatt Committee and the Committee in its report "formulated conclusions adversely affecting Tilak's reputation and good name in general and directly tending in an injurious manner on the issues raised in the Chirol case." The Government did not withdraw the allegations, and shortly after the notice was served, Tilak left for England and stayed there for a year. His failure in the Chirol case convinced him that another battle in the law-court would be a waste of time and money.

He reacted favourably to progressive ideas, and when, during his tour of Hyderabad in April, 1920, someone tried to frighten him with the expansion of Bolshevism, he said that India should not be afraid of Bolshevism as the principles of that cult were eternal principles. In the Gita also, it was laid down that what one had in excess of one's requirements was a trust with one for the benefit of others. He further said that according to the Hindu shastras, he who kept to himself more than he needed was a sinner. He quoted instances from

the early history of India of rajas and wealthy men who distributed all their wealth among the poor.

He lived up to this principle, and shared his earthly possessions with the poor and the needy. During the sessions of the Congress, he loved to dwell in tents and uncomfortable lodgings with his friends and followers, declining many a kind friend's offer to put him up in luxurious mansions.

He had forestalled Gandhi in all the movements that the Mahatma launched after Tilak's death; no-rent campaign, boycott of Government service, prohibition, swadeshi were all preached and practised by him. He talked of complete independence as far back as 1897. In that year, before his trial for sedition began, his counsel Pugh asked, "Surely, Mr. Tilak, you desire self-government for India and not absolute independence." Tilak laughed, as he did when any awkward question was put to him and replied, "Desire for independence on the part of a subject people is nothing dishonourable and is no crime." He quoted from memory many passages from English books as also legal dicta in support of his views. Then he told Pugh that self-government for India was his present political aim and absolute independence was yet beyond the range of practical politics.

His was the life divine, and his countrymen elevated him not only to the position of Lokamanya, but adored him even as Tilak Bhagwan. In the encircling gloom, he appeared with a torch in his hand.

CHAPTER LXIX

THE END

THE man who calculated the age of the Vedas calculated nearly precisely the span of his life. In 1909, in a letter he wrote to his friend Khaparde from the Mandalay jail, he casually said: "If heredity and average health be any indication of the longevity of a man, I do not hope to live at best for more than ten years." Eight or nine years later, his health began to fail, and he once said in a moment of exhaustion: "People cannot possibly realize that I feel so weak. When the moment comes I lecture. But the body is all the while breaking under the strain. The lecture over, I retire from the crowds and sleep over my fatigue. Only my will supports me. The body is done in."

In 1920, in the month of July, he had a severe attack of malaria. But he soon recovered and proceeded to Bombay to appear in the Tai Maharaj Case, which, in one form or other, continued to worry him for two decades. There a drive along the seashore brought him a chill which developed into high fever. None, however, expected the worst, and in celebration of his sixty-fourth birthday, public meetings were held and congratulations poured in from all over the country.

From Monday, July 26, his fever took a serious turn and he developed signs of pneumonia; the base of his right lung was affected. The whole of Tuesday was a day of anxiety. Friends and relatives gathered round his bed. But he was cheerful, and chaffed his son for having come to Bombay on this 'pretence' and his daughters upon being rather too fond of their parents' home. And when someone asked him if he would like to leave any instructions regarding his affairs, he said, "I am not going to die these five years, be sure of that."

On Wednesday morning his temperature was normal and pulse regular. This was a happy sign. He asked for plain water, and the doctors gave him water mixed with sugar. He remarked jocularly that the Bombay Corporation might be suffering from diabetes to offer only sweet water. The diabetes patient for twenty years now lacked in sugar! There was also a complication in the stomach, which began to be

distended, and, with great difficulty, the doctors led him out of the crisis.

At this stage, when he was desperately struggling for life, a copy of the Gita was brought to him, and he uttered his favourite verses:

> यदा यदा हि धर्मस्य ग्लानिर्भवति भारत ।
> अभ्युत्थानमधर्मस्य तदात्मानं सृजाम्यहम् ॥
> परित्राणाय साधूनां विनाशाय च दुष्कृताम् ।
> धर्मसंस्थापनार्थाय संभवामि युगे युगे ॥

(Whenever virtue subsides and vice prevails, I come down to protect the good, to destroy the wicked and to establish Dharma.)

The next three days were very critical. He lost consciousness and became delirious. On Tuesday at about 5 P.M. he had an attack of angina pectoris which threatened to be serious and fatal, but the doctors' timely efforts again pulled him out of the danger.

In his delirium, he frequently spoke of his country's poverty, about the Congress and about Swaraj—"Has the *Special* been arranged? Have you wired to Mr. Patel? Five hundred rupees to the editor, plus motor allowance! What will these lordlings do for the country?" He murmured of the Punjab wrong. Often he got excited, as in his speeches, and talked wildly. As if this dying leader was for the last time inspiring his people, he repeated several times—"1818-1918, one hundred years, what a life of servitude!" His last words were: "Unless Swaraj is achieved, India will not prosper. It is required for our existence." And he spoke no more.

On Friday and the whole of Saturday, he continued in a state of unconsciousness with an uncertain and irregular pulse and a weak heart. At 10-30 on Saturday night, his heart began to show signs of exhaustion and his breathing became hard. After midnight, the lingering hope began to vanish fast, and at 12-50, the doctors announced that "the Lokamanya is no more". His sons, daughters and grandchildren and a host of friends and admirers, who had passed long hours by his bedside, burst into a fit of sobbing. There

was a drizzle of rain, the night was dark and the giant city of Bombay lay asleep, not knowing the disaster that had overtaken it.

Never before in the history of Bombay had such a scene of universal grief been witnessed. People began to flock to Sardar Graha, where the departed leader had been staying, from 7 in the morning and by 8 the surroundings were so thickly crowded that the late-comers had to go back disappointed, without having a glimpse of his remains. Then the body of the Lokamanya was brought out and put on the balcony so that it could be seen by the crowds from a distance.

At 2 P.M., an hour after the scheduled time, the funeral procession, about a mile and a half long, started from the Sardar Graha. A conservative estimate put the figure of the mourners at two lakhs. It was a cosmopolitan gathering of all communities and classes.

Tilak was a Brahman, and some of his friends and relatives decided that only Brahmans should lift the bier. When Gandhi came forward and bent low to lift the bier, someone tried to obstruct him. Gandhi stood up for a moment and said, "Public men know no caste." He bent down again, and lifted one end of the bier. The convention was broken, and their bier was in turn shouldered by Shaukat Ali and Dr. Kitchlew along its route to Chowpatty.

The longest funeral procession (according to the *Indian Social Reformer*) "witnessed in Bombay was that of Dadabhai Naoroji. But Tilak's totally eclipsed it. Most of those who followed Dadabhai's remains to the Tower of Silence were English-educated men." But the vast multitude which accompanied Tilak's bier consisted not only of educated people but of men from all walks of life.

At sundown, the body was placed on the pyre of sandalwood on the sands of Chowpatty. Once again, there were loud sobs. And as the flames consuming the mortal remains of the great leader leapt up, thousands of voices were raised: "Tilak Maharaj ki jai; Tilak is immortal."

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